

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS FOR 2015

HEARINGS BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED THIRTEENTH CONGRESS SECOND SESSION

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PART 7 STATEMENTS OF INTERESTED INDIVIDUALS AND ORGANIZATIONS



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OUTSIDE WITNESS

STATEMENTS

REF: Possible closure of NOAA's Beaufort, NC. LaboratoryAgency and Program

NOAA, National Ocean Service Beaufort, N.C Laboratory

Name, Title, and Institution of Responder

Dr. S. Marshall Adams (PhD), Senior Research Staff, Oak Ridge National Laboratory (retired)

I am opposed to the possible closure of the NOAA's Beaufort, NC lab because of the following reasons:

- (1) As a graduate student at NC State University working on my Master's degree, and a graduate student at the Univ. of North Carolina, Chapel Hill working on my PhD degree, I performed my thesis and dissertation research at the NOAA Beaufort Lab during the 1970s. From this research, I published several manuscripts in the peer reviewed literature and this experience "jump started" my 38 year scientific career as a successful research scientist. The Beaufort lab has a long history of training and mentoring students in estuarine and marine science, many of which realized highly productive careers. It would be unfortunate to close this lab which has such an exemplary history in training and mentoring young marine scientists.
- 2) Inaccurate and outdated information was used to overstate the costs of maintaining the NOAA Beaufort lab. Such an inaccurate analysis led to the request to close this facility
- 3) the request for closure also understates the number of NOS staff affected and does not account for the more than 40 NMFS staff and the 8 staff of the NC Natl. Estuarine Research Reserve which are co-located at this facility
- 4) The Beaufort lab has established over a 100 yr. record for scientific excellence in research which has contributed greatly to the scientific research base necessary to maintain the economic and productivity of the Atlantic Coastal Ecological systems.
- 5) There are currently only two NOS labs serving the entire East coast of the US while there are 5 serving the Gulf coast region. Closure of the Beaufort lab would obviously place a severe restriction on the ability to maintain the research knowledge base required to provide and preserve the economic and ecological well-being of the East coast marine ecosystems.

Because of these reasons and many more, I respectfully request that the NOAA Beaufort laboratory not be closed but be supported to continue its productive science in order to help maintain healthy, productive, and sustainable East coast marine systems

Respectively,

Dr. S. Marshall Adams, PhD

Robert J. Allman
NOAA/NMFS/SEFSC
Panama City, FL

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity.

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper monitoring and ecology. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab's presence, including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

N.C. Coastal Reserve and National Estuarine Research Reserve:

Impacts of Closure to the Reserve, Strategic Location, and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality

and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education

K-12 field trips

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship

Volunteer service at the Rachel Carson Reserve

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research

Research permits

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program

Coastal Training Program workshops

- 31 workshops
- 1076 participants

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

Sincerely,



**AMERICAN
SOCIETY FOR
MICROBIOLOGY**

Office of Public Affairs

*Statement of the American Society for Microbiology
Submitted to the
House Committee on Appropriations
Subcommittee on Commerce, Justice and Science and Related Agencies
On the Fiscal Year 2015 Appropriation for the National Science Foundation*

March 31, 2014

The American Society for Microbiology (ASM), the largest single life science Society with over 39,000 members, wishes to submit the following statement in support of increased funding for the National Science Foundation (NSF) in FY 2015. The NSF is the only federal agency that supports innovative basic research across all fields of science and engineering. For over six decades, the NSF has invested in basic research and education at the frontiers of science and engineering, including high risk and transformative research not supported by other funding sources. In FY 2013, 81 percent of the NSF budget supported research and related activities at colleges, universities and academic consortia and NSF reviewed 49,000 grant proposals and made 10,844 new awards to 1,922 institutions in all states across the Nation.

An estimated 299,000 people were directly involved in NSF programs and activities in FY 2013. NSF programs indirectly impact millions (e.g., K-12 students and teachers, general public, institutions like museums). NSF grants supported eight of the 13 Nobel Prize 2013 winners at some point in their research careers. NSF has now funded 212 Nobel laureates since the agency began, 41 of whom also had been NSF Graduate Research Fellows. Since 1952, the agency has funded nearly 47,800 graduate research fellows.

NSF support of multidisciplinary research and all levels of education is critical to improving the future of the Nation's science and engineering enterprise and our global competitive edge. NSF's National Science Board just released its latest biennial Science and Engineering Indicators report, a detailed analysis of the Nation's position in global science and technology. Since 2001, the share of the world's R&D performed in the United States has decreased from 37 percent to 30 percent, while that performed by Asian countries grew from 25 percent to 34 percent. It is critical to increase the NSF budget to help reverse this worrisome trend.

NSF Builds R&D Infrastructure

Through competitive grants, contracts and fellowships, NSF builds partnerships among industry, academia and other R&D stakeholders which expands the Nation's technical workforce. The NSF supports multidisciplinary research, cutting edge facilities, and initiatives and consortia. Examples are the National Big Data R&D Initiative launched in 2012 and NSF's Ecology and Evolution of Infectious Diseases Initiative (EEID). In FY 2013, the NSF invested more than \$17 million in 60 multidisciplinary projects to employ new computational analyses essential to data

driven STEM breakthroughs. The effort was part of over \$75 million spent in FY 2013 to advance software, networking, data sciences and workforce training to support all STEM disciplines, via NSF's Cyberinfrastructure Framework for 21st Century Science and Engineering.

Funding from NSF builds local R&D infrastructures through the long standing Experimental Program to Stimulate Competitive Research (EPSCoR) program. In mid-2013, four newly funded projects were in the EPSCoR portfolio: (1) a New England consortium focused on pathogenic bacteria in coastal regions, their environmental and economic impacts and decision making through human interactions with natural systems; (2) a three state study of high elevation water resources, to create better computer models related to water quality; (3) a joint project in North and South Dakota to develop processing methods for converting biomass into renewable energy resources; and (4) a three state collaboration in New England placing a network of environmental sensors in each state, to collect data on carbon and nutrients in watersheds over time.

NSF partnerships with academia are vital to energizing the US workforce in science, technology, engineering and mathematics (STEM). The NSF responds to wide spread concerns about future workforce shortages across STEM disciplines. An example of NSF's STEM education strategy are five STEM projects funded last September involving multiple institutions in five states, to increase STEM participation of women and girls, underrepresented minorities and underserved rural areas. The nearly \$4 million in EPSCoR grants will pilot new methods among students from middle school to early career levels.

Another example is the diverse 2013 class of NSF Graduate Research Fellows, 2,000 young researchers from 434 U.S. baccalaureate institutions, including 1,102 women, 390 from underrepresented minority groups, 51 with disabilities and 28 veterans. Forty percent indicated interdisciplinary fields of study. In mid-2013, NSF announced the first 53 recipients of the new Graduate Research Opportunities Worldwide (GROW) program, partnering with 12 countries to place NSF research fellows in institutions abroad.

NSF also collaborates with the private sector to boost R&D entrepreneurs in the United States, in part through the competitive Small Business Innovation Research (SBIR)/Small Business Technology Transfer program. In October, under an agreement between NSF and the Biotechnology Industry Organization, 10 NSF funded early stage biotech companies presented at the 12th annual BIO Investor Forum to begin raising funds in the private sector. The startups focus on drug discovery, diagnostics and other platform technologies.

NSF Supported Microbiology Research

Within NSF, the Directorate for Biological Sciences (BIO) sustains a research portfolio encompassing the wide breadth of biology from molecules to ecosystems and the global biosphere. BIO divisions include those focused on environmental biology, systems biology or molecular biology. The Emerging Frontiers Division invests in higher risk, interdisciplinary activities that show promise of generating productive innovations. BIO also supports R&D infrastructures like the National Ecological Observatory Network (NEON), biological field stations and computerized databases that include DNA sequences of microorganisms. In FY

2013, the directorate was able to fund 21 percent of the 5,937 grant proposals submitted by researchers. Research reported in the past year illustrates the diversity of BIO's funding:

- Bacterial DNA is more likely to be naturally transferred to human tumor cells than to normal, healthy cells, suggesting a role for bacterial gene transfer in cancer and other diseases associated with mutations. Scientists had already shown that bacteria can transfer DNA to animal genomes through previous genomic sequencing studies.
- For the first time, the banded mongoose in Botswana was identified as carrying *Leptospira interrogans*, the bacterial cause of leptospirosis, which is the world's most common illness transmitted to humans by animals.
- Scientific analysis of the 2011 record breaking algae bloom in Lake Erie blamed a "perfect storm" of weather events and agricultural practices, predicting more huge blooms in the future.
- An unusual soil bacterium is being used in modeling and simulations by computational biologists to study how individual cells might have evolved into more complicated configurations. *Myxococcus xanthus* organizes itself into multicellular, three dimensional structures made up of thousands of cells to hunt other microbes and survive in harsh conditions.
- The redwoods of California are being threatened by the combined effects of forest fires and sudden oak death disease, linked in 2000 to the plant pathogen *Phytophthora ramorum*. Flames carried into the tree canopy by the dead oaks scorch the crowns of surrounding redwoods.

Last August, BIO funded US and United Kingdom scientists in four projects that could revolutionize farming methods: (1) to design a synthetic biological module that will "fix" nitrogen inside plant cells, by reengineering nitrogen fixing bacteria to build an N- fixing unit that can be transferred; (2) to rediscover a bacterium found only once (in the 1990s in a German charcoal pit) that contains a unique enzyme allowing nitrogen fixing in oxygen rich environments normally inhibitory to nitrogen fixing bacteria; (3) to genetically alter nitrogen fixing bacteria and a grass species similar to more complex cereals such as maize, to ensure a lock and key interaction between plant and microbe and maximize the amount of usable nitrogen delivered to the plant; and (4) to optimize practical applications of nitrogen fixing blue green algae and genetically engineer plant cells to fix atmospheric nitrogen directly.

The NSF Directorate for Geosciences (GEO) also funds microbiology research through studies of Earth's environment and the myriad roles played by microorganisms. In January, the directorate awarded grants to four new critical zone observatories, which join six existing CZOs to study the zone where Earth's surface meets the atmosphere and living organisms. The CZOs are the first research network to holistically investigate this zone, so important to water quality, food supplies, soil health and carbon storage.

Both GEO and BIO contribute to NSF's Ecology and Evolution of Infectious Diseases program jointly sponsored with the National Institutes of Health. EEID supports the study of ecological and biological mechanisms of environmental change that shape emergence and transmission of infectious diseases. Projects help understand how large scale events like habitat destruction can alter microbial diseases in humans and other animals. In 2013, new EEID grant recipients

included studies on foot and mouth disease virus, honeybee killing parasites, impacts of livestock production practices on emerging drug resistant staphylococci bacteria and transmission of Tasmanian devil facial tumor disease. Effects of climate change on the spread of infectious disease is another EEID focus area, generating reports last year that model disease outcomes based on climate variables to guide public health officials. In February, researchers reported field studies showing that environmental temperatures significantly influence whether or not Wolbachia bacteria will block the malaria pathogen from developing within carrier mosquitoes. The Wolbachia malaria interaction is considered a promising new tool for controlling malaria. Other EEID funded studies are investigating West Nile virus, Lyme disease and hantavirus in the context of climate change and other environmental factors.

There is no doubt that NSF contributes to the Nation's scientific strength and economic growth. The ASM urges Congress to increase funding for NSF in FY 2015 to the highest level possible. The ASM also looks forward to continued future investment of NSF resources in programs related to microbiology since microbes are at the foundation of scientific discovery and other activities that are at the core of the NSF mission.



American Society of Agronomy • Crop Science Society of America • Soil Science Society of America

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www.agronomy.org • www.crops.org • www.soils.org

Written Public Witness Testimony of
Karl E. Anderson
Director of Government Relations
American Society of Agronomy
Crop Science Society of America
Soil Science Society of America
kanderson@sciencesocieties.org

Before the
House Subcommittee on Commerce, Justice, Science, and Related Agencies Committee on
Appropriations

March 31, 2014

Subject: FY 2015 Appropriations—Support for the National Science Foundation

Dear Chairman Wolf, Ranking Member Fattah and Members of the Subcommittee:

The American Society of Agronomy (ASA), Crop Science Society of America (CSSA), and Soil Science Society of America (SSSA) urge the subcommittee to support **\$7.5 billion for the National Science Foundation** for the fiscal year 2015.

This funding level will put the premier government-funding agency for scientific research back on track to address to continue valuable projects that promote transformational and multidisciplinary research, provide needed scientific infrastructure, and contribute to preparing the next generation science, technology, engineering, and mathematics workforce.

Specifically, we urge strong support for the following NSF programs:

Within the **Biological Sciences Directorate**,

Division of Environmental Biology (DEB), which supports the *Long Term Ecological Research (LTER)* program.

Division of Integrative Organismal Systems (IOS), which supports the *Plant Genome Research Program* and the *Basic Research to Enable Agricultural Development (BREAD)* program.

Within the **Geological Sciences Directorate**,

Division of Earth Sciences (EAR), which supports the *Geobiology & Low-Temperature*

Geochemistry Program and Critical Zone Observatories.

The American Society of Agronomy (ASA), Crop Science Society of America (CSSA), and Soil Science Society of America (SSSA), represent over 18,000 members in academia, industry, and government, 12,500 Certified Crop Advisers (CCA), and 781 Certified Professional Soil Scientist (CPSS), as the largest coalition of professionals dedicated to the agronomic, crop and soil science disciplines in the United States. We are dedicated to utilizing science to manage our agricultural system and sustainably produce food, fuel, feed, and fiber for a rapidly growing global population in the coming decades.

Agriculture and agriculture-related industries contributed \$742.6 billion to the U.S. gross domestic product (GDP) in 2011, a 4.8-percent share. In 2012, 16.5 million full- and part-time jobs were related to agriculture—about 9.2 percent of total U.S. employment. However, even though increased agricultural productivity, arising from innovation and changes in technology, is the main contributor to economic growth in U.S. agriculture not all people at all times have to access to enough food for an active and healthy life. The global number of food-insecure people is estimated at 707 million in 2013, up 3 million from 2012. By 2023, the number of food- insecure people is projected to increase nearly 23 percent to 868 million, slightly faster than population growth. The Nation's economic prosperity and security depend on our dedication to developing innovative, science-based solutions to meet our growing agricultural needs and managing efficient food systems.

Biological Sciences Directorate

Division Environmental Biology (DEB)

DEB emphasizes research on complex ecological and evolutionary dynamics to improve our ability to understand the reciprocal interactions between living systems and the environment, and inform essential considerations of environmental sustainability.

The *Long Term Ecological Research (LTER)* Network was created by the National Science Foundation (NSF) to conduct research on ecological issues that can last decades and span huge geographical areas. For more than three decades, the Network has generated rigorous, site-based scientific research that has led to important findings on regional and continental scales.

Among the major goals of long-term ecological research is to increase our understanding of a wide array of ecosystems at multiple geographical and time scales, giving society the knowledge and capability to address complex environmental challenges. Key research findings by LTER scientists provide valuable information for federal agencies, land managers, and decision makers who want to develop responsible policies to deal with a rapidly changing world.

Integrative Organismal Systems (IOS)

In order to meet increasing demands and develop more robust crops, additional fundamental understanding regarding the basic biology of these crops is needed.

IOS maintains its commitment to support fundamental plant genome research through the *Plant Genome Research Program (PGRP)*.

PGRP supports genome-scale research to accelerate basic discoveries of relevance to basic plant biology as well as downstream applications of potential societal benefit such as crop improvement, development of new sources of bio-based energy, development of sources of novel bio-based materials, and plant adaptation to global climate change.

In addition, the Developing Country Collaborations in Plant Genome Research program links US researchers with partners from developing countries to solve problems of mutual interest in agriculture and energy and the environment.

The PGRP's *Basic Research to Enable Agricultural Development (BREAD)* Program supports basic research on early-concept approaches and technologies for science-based solutions to problems of agriculture in developing countries.

Geological Sciences Directorate

Earth Sciences (EAR)

The Earth Sciences division supports the Surface Earth Processes section, which researches geomorphology and land use, hydrologic science, geobiology, geochemistry (particularly the Geobiology and Low-Temperature Geochemistry Program), and sedimentary geology and paleobiology – all crucial to the areas of agronomy, soil, and crops.

In addition, EAR supports EarthScope which focuses on studying the structure and tectonics of the North American continent and an Instrumentation and Facilities program that supports community-based, shared-use facilities, as well as an education program to attract and support students and young investigators to the field of Earth science.

ASA, CSSA, and SSSA also support strong funding for the Critical Zone Observatories that operate at the watershed scale and significantly advance our understanding of the integration and coupling of Earth surface processes as mediated by the presence and flux of fresh water.

We must close the innovation deficit if the United States is to remain the world's innovation leader in agriculture. China continues to exhibit the world's most dramatic R&D growth at 20.7 percent annually, compared to the United States at 4.4 percent growth over the same time period. By 2009, agriculture R&D fell to a historically low 0.035 percent share of the United States economy, a level far below the total U.S. R&D spending and that which is necessary to meet the critical challenges facing U.S. agriculture in the 21st century.

Support for NSF is essential to maintain the capacity of the United States to conduct both basic and

applied agricultural research, to improve crop and livestock quality, and to deliver safe and nutritious food products while protecting and enhancing the nation's environment and natural resource base.

Thank you for your consideration. For additional information or to learn more about the ASA, CSSA, and SSSA, please visit www.agronomy.org, www.crops.org, or www.soils.org.

Rachel Ashton
No Institutional Affiliation

I am commenting on the NOAA proposed closing of the NOAA Laboratory in Beaufort, North Carolina. I am strongly opposed to this closing. The National Ocean Service, in initiating the closure request, understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 8 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure. For this small area, this is a huge impact! Furthermore, the Government has spent approximately \$14 million in new construction and renovations at the Beaufort Laboratory, including the following facilities upgrades:

2006	\$7 M	Administration Building replaced (NC NERRs contributed \$1M)
2007	\$2.1 M	Bridge replaced – cost shared with Duke University
2008	\$0.86M	Maintenance Building replaced
2009	\$0.5M	Air conditioning / Air handler replacement and mold abatement
2009	\$1.0M	Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
2014	\$1.65M	Seawall repair, electrical upgrade and State of NC funded storm water control

Closing this facility after all of this money has been invested would be fiscally irresponsible, and would be a waste of taxpayer dollars! The new budget claims that the facility requires repairs beyond its budget, but how can that be when so much money has been invested in recent years?

Closing this laboratory would be devastating to the scientific community and progress in Eastern North Carolina and nearby states. Please reconsider this in the FY15 budget!

Salinda S. D. Bacheler, MS, LCCE
 Childbirth Educator

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies,

Acting as a private citizen on my own time, I would like to submit testimony for the record to strongly urge the subcommittee *to reject the proposal in the President's FY2015 budget to close the NOAA laboratory in Beaufort, North Carolina*, and to instead fund this facility so that the crucial work being done there can continue on into the future. This laboratory is uniquely located to address key marine science issues throughout the east coast of the US, and its loss would represent a devastating blow to the fisheries interests in the region. The decision to try and close the Beaufort facility represents a narrow-minded approach to a temporary funding concern that is dwarfed in comparison by the potential damage done to the research conducted on the marine resources in the southeast.

The closure of the Beaufort lab would be a grave error because of the loss of high-quality science and scientists associated with the facility. Located at the intersection of two distinct marine environments, the NOAA laboratory in Beaufort is uniquely situated to study one of the most diverse ecosystems in the country. The lab is an international leader in studies of harmful algal blooms (HABs) and the invasion of lionfish into the waters of the Atlantic Ocean, both of which are currently having a significant impact on the fisheries resources of the United States. The NMFS programs at the lab are responsible for the assessment of the major marine fisheries stocks in the southeast, including menhaden (the largest fishery along the Atlantic coast as well as in the Gulf of Mexico) and the commercially and recreationally important snapper and grouper fisheries. NMFS in Beaufort also provides the only up-to-date information on the currently-closed red snapper fishery along the southeast coast through its SouthEast Fishery-Independent Survey. All of these programs would suffer irreparable damage were the lab to close because NOAA would be unlikely to retain the world-class scientists performing this research in the event their federal positions were transferred to other NOAA facilities in the southeast; the NOAA lab is part of a unique assembly of research facilities in the Beaufort area, and the majority of employees would very likely try and remain in the area at a different institution rather than relocate to a less desirable location. Thus, NOAA (and NMFS in particular) would be forced to rebuild these programs from scratch, programs that are required to meet congressional mandates laid out in the Magnuson-Stevens Fishery Conservation and Management Act. Just as importantly for NMFS, the closure of the Beaufort facility would mean that the Fisheries Service would not have a presence along the coast between Sandy Hook, New Jersey and Miami, Florida—an extent that covers over two-thirds of the United States east coast. It is difficult for the agency to claim they are interested in conserving the marine resources of the southeast with such a large spatial gap in representation, especially compared to five NMFS research facilities in the Gulf of Mexico and another five in the northeast.

The financial reasons given by the leadership of the National Ocean Service (NOS) for closing the Beaufort facility have been misrepresented and overblown. In their justification for closing the lab, NOS cited only the NOS employees that would be impacted, grossly underestimating the total number of workers at the site. In addition to NOS, the lab also houses National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS) programs; between the three groups there are 108 federal, state, and contract employees at the facility, a much larger disruption of staff than initially claimed. Additionally, NOS cited a cost of future maintenance repairs to the facility that was outdated and did not take into account recent work that has been done to upgrade the laboratory and its infrastructure. Since 2006, approximately \$14 million in repairs and upgrades have been accomplished, including the replacement of multiple buildings. The closure of this facility, after so much has been invested in its improvement in recent years, seems like a clear waste of taxpayer money, especially given that a 2014 report showed that the facility is structurally sound.

In summary, the closing of the NOAA facility in Beaufort is bad policy—it is a squandering of taxpayer funds, it is a major detriment to the science being conducted in the southeast, and it makes it more difficult for NMFS to maintain the quality of the work it is federally mandated to achieve. The laboratory in Beaufort has been operating continually since 1899 and was sited here specifically because of its advantageous position so close to so many of our nation's valuable marine resources; Congress owes it to our country to make sure the high-quality work done here continues on for the next 115 years.

Respectfully,
Salinda S. D. Bachelier
Morehead City, North Carolina

Submitted on behalf of Kim E. Barrett, Ph.D., President, American Physiological Society

The American Physiological Society (APS) thanks you for your sustained support of science at the NSF and NASA. The APS is a professional society, numbering more than 10,000 members, dedicated to fostering research and education as well as the dissemination of scientific knowledge concerning how the organs and systems of the body function. In this letter we offer our recommendations for FY 2015 funding levels for these two agencies.

- **The APS urges you to fund the FY 2015 NSF budget at a net level of \$7.6 billion to prevent further erosion of program capacity.**
- **The APS urges you to restore cuts to NASA's life sciences research budgets and to increase funding for the Human Research Program.**

NSF and NASA support scientific research and technology development programs that are critical to the future technological excellence and economic stability of the United States. Federal investment in research is critically important because breakthroughs in basic and translational research are the foundation for new technologies that help patients, fuel our economy, and provide jobs.

NSF funds outstanding research and education programs

NSF provides support for approximately 20% of all federally funded basic science and is the major source of support for non-medical biology research, including integrative, comparative, and evolutionary biology, as well as interdisciplinary biological research. It has been shown time and time again that the knowledge gained through basic biological research is the foundation for more applied studies that sustain the health of animals, humans and ecosystems.

The majority of the NSF funding is awarded through competitive, merit-based peer review, ensuring that the best possible projects are supported. Reviewers and NSF officials consider both the intellectual merit of each research proposal, and also the broader impacts. The broader impact criteria are defined as the potential for research to benefit society and achieve specific outcomes. NSF has an exemplary record of accomplishment in terms of funding research that produces results with far-reaching potential. Since its inception in 1950, NSF has supported the work of 212 Nobel Laureates.

Biological research is just one part of the NSF portfolio. The APS believes that each of the NSF directorates support research that is critical to NSF's mission "to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense..."¹ Collaboration between scientific disciplines is increasingly recognized as the best and most efficient way to advance science. This will only be possible with strong support for all disciplines of research.

In addition to funding innovative research in labs around the country, the NSF education programs foster the next generation of scientists. The APS is proud to have partnered with NSF in programs to provide training opportunities and career development activities to enhance the participation of underrepresented minorities in science. We believe that NSF is uniquely suited to

foster science education programs of the highest quality, and we recommend that Congress continue to provide federal funds for science education through the NSF.

The APS joins the Federation of American Societies for Experimental Biology (FASEB) to recommend that the NSF be funded at a level of \$7.6 billion in FY 2015 so that it can support a sustainable research program that follows a funding trajectory reflecting the level authorized in the America COMPETES Act.²

Support for Life Sciences Research should be increased at NASA

NASA sponsors research across a broad range of the basic and applied life sciences, including gravitational biology, biomedical research and the Human Research Program (HRP). The gravitational biology and biomedical research programs explore fundamental scientific questions through research carried out both on Earth and aboard the International Space Station, which provides an environment for the conduct of experiments in space. The HRP at NASA conducts unique research and develops countermeasures with the goal of enabling safe and productive human space exploration.

During prolonged space flight, the physiological changes that occur due to microgravity, increased exposure to radiation, confined living quarters, and alterations in eating and sleeping patterns can lead to debilitating conditions and reduced ability to perform tasks. APS scientists are actively engaged in research that explores the physiological basis of these problems with the goal of contributing to the identification of therapeutic targets and development of countermeasures. The knowledge gained from this research is not only relevant to humans traveling in space, but is also directly applicable to human health on Earth. For example, some of the muscle and bone changes observed in astronauts after prolonged space flight are similar to those seen in patients confined to bed rest during periods of critical illness as well as during the process of aging.

NASA is the only agency whose mission addresses the biomedical challenges of human space exploration. Over the past several years, the amount of money available for conducting this kind of research at NASA has dwindled. The overall number of projects and investigators supported by NASA through the HRP, National Space Biomedical Research Institute and Exploration and Technology Development program has decreased markedly (<https://taskbook.nasaprs.com/Publication/>). In the past, appropriations legislation specified funding levels for biomedical research and gravitational biology, but recent internal reorganizations at NASA have made it difficult to understand how much money is being spent on these programs from year to year. The APS recommends that funding streams for these important fundamental research programs be clearly identified and tracked within the NASA budget. The APS also recommends restoration of cuts to peer-reviewed life sciences research.

As highlighted above, investment in the basic sciences is critical to our nation's technological and economic future. The APS urges you to make every effort to provide these agencies with increased funding for FY 2015.

¹<http://www.nsf.gov>

²www.faseb.org/fundingreport

Date: 31 March 2014

The House Committee on Appropriations
The Subcommittee on Commerce, Justice, Science, and Related Agencies
Washington, D C

From: Virginia Baysden, UNCW Retiree

Regarding: Outside Witness Testimony on Closure of Beaufort Marine Laboratory, NC

I do not feel closure of this laboratory and related facilities to be a merited sacrifice for funding such as forecasting of harmful algal blooms There needs to be a review of what services have been historically provided by and needed from the Beaufort Lab.

From my meager review, I think you need to simply hire boaters to physically retrieve these blooms during their growth season. And if a news release means anything, then incorporate oxygen into our waters. This would also relate to a ban on fracking and drilling. There should be no detrimental activities in these areas. I trust common sense to be the rule.

Unfortunately, what I observed through the years was a nexus between a NOAA official anticipating retirement, and proposed closures and realignment were connected. They are simply attempting to pave the way for either themselves or another's career after retirement.

There isn't a need to close when they can turn the lab facilities over to any of the organizations situated there. The Beaufort Marine Laboratory has met a need all these years. Closing will not negate need.

Respectfully,

Virginia Baysden
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910-200-7555
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Submitted via CJ.Approp@mail.house.gov

**MR. DAVID BEAN, PUYALLUP TRIBAL COUNCIL TESTIMONY OF
THE PUYALLUP TRIBE OF INDIANS BEFORE THE HOUSE
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE AND
RELATED AGENCIES
FISCAL YEAR 2015**

Mr. Chairman, my name is **David Bean, Tribal Councilmember for the Puyallup Tribe of Indians**. On behalf of Chairman Dillon, the Tribe thanks the Committee for its past and ongoing support of numerous tribal issues. I am pleased to present testimony regarding the FY 2015 funding of the following offices within the Department of Justice: the **Office of Justice Programs (OJP)**—the Tribe urges Congress to reinstitute the 7% tribal set-aside from all discretionary OJP programs, which would provide more than \$102.8 million for tribal justice programs; the **Office of Community Oriented Policing Services (COPS)**—the Tribe supports the FY 2015 Budget request of \$274 million, with \$35 million to fund tribal law enforcement expenses; and the **Office on Violence Against Women (OVW)**—the Tribe supports the FY 2015 Budget request of \$423 million and further requests that funding be provided for the implementation of the tribal provisions of the Violence Against Women Act Reauthorization of 2013 (VAWA).

Introduction: Public safety and criminal justice systems are the foundation for community stability and the wellspring for economic development and entrepreneurship. We look forward to working with the 113th Congress to ensure that funding levels in the FY 2015 Budget are sufficient to meet and carry out our public safety and justice responsibilities. We remain optimistic that Congress and the White House will find common ground on the broader budgetary issues and that the FY 2015 Budget will fund essential Justice Department programs important to Indian tribes at levels commensurate with our well documented needs and be mindful of the federal government’s trust responsibility to tribes.

By ensuring tribal access to OJP funds, COPS grants, and funding to implement VAWA and other OVW programs, this Committee will ensure that tribal governments can be active stakeholders in promoting and enhancing law enforcement and criminal justice services in our communities and in partnership with surrounding jurisdictions.

The Puyallup Reservation is one of the few reservations located in an urban setting, where we must deal with the reality of gang violence. The reservation is located in the Seattle-Tacoma region of Washington State. Our reservation is a little more than 18,000 acres in size and includes parts of several different municipalities, including Tacoma, Fife, Milton, Puyallup, Edgewood, and Federal Way. In addition, the Puyallup Tribe provides services for more than 4,000 Tribal members and more than 25,000 additional Native Americans who reside in the area.

The Puyallup Tribal Police Department is led by a Chief of Police, and staffed by twenty-nine commissioned officers and two reserve officers. The Department preserves peace and order within the boundaries of our reservation, in addition to the usual and accustomed areas. Unfortunately, due to limited federal funding for law enforcement in Indian country, only two of our twenty-nine officers are funded with federal funds. The remaining twenty-seven officers and additional nine detention officers are funded by the Tribe. The total cost of Tribal justice services, including facilities operations and maintenance, exceeds \$5.9 million per year.

The Tribe is fortunate to have a good working relationship with state, county, and local law enforcement agencies. In fact, we have had intergovernmental agreements with Pierce County and the City of Tacoma for many years. Tribal police officers are cross-deputized so that arrests can be made not only under tribal jurisdiction, but under city or county jurisdiction as well—in these instances offenders are turned over to the local authorities to be processed. We cannot adequately convey to you how important these cross-deputization agreements are to the Tribe.

Despite these intergovernmental agreements, the Tribe's law enforcement division is exceeding its maximum capabilities, due to an ever-increasing population. Without the large subsidy provided by the Tribe for public safety, we would not have a comprehensive program to address the many law enforcement needs of our community. For that reason, it is extremely important that the Department of Justice continues to fund the programs that support our public safety efforts.

Office of Justice Programs: As with last year's budget, the FY 2015 Budget includes language to fund a 7% tribal set-aside for all discretionary OJP programs to address Indian country public safety and tribal criminal justice needs. This level of funding would provide \$102.8 million for tribal justice programs to address public safety and tribal criminal justice needs. Similar to last year, the Puyallup Tribe of Indians joins with the National Congress of American Indians (NCAI) and other tribes in urging Congress to include the 7% tribal set-aside in the FY 2015 bill language. This 7% set-aside is critical for tribes because it would provide a more flexible funding structure and would complement DOJ's Coordinated Tribal Assistance Solicitation (CTAS). The CTAS streamlined grant application process allows tribes to submit a single application for multiple purpose areas.

Puyallup's Tribal Justice Center: The FY 2015 Budget for the Department of Justice proposes \$8.4 billion for Federal prisons and detention facilities. These funds will be used to maintain secure, controlled detention/prison facilities and to fund newly completed prison facilities as they become operational. Contrast this with the Department of Justice program established to address detention facilities in Indian country. This program has been historically underfunded with as little as \$3 – 5 million annually for the construction/renovation of detention facilities throughout Indian Country. In a recent report, the Department of the Interior estimated that over a ten year period, at a minimum, \$6 billion will be needed to bring tribal and Bureau of Indian Affairs (BIA) detention centers

up to current acceptable construction standards. To address this on-going need, we request that—at a minimum—\$50 million be appropriated for the Department of Justice Detention Facilities Construction in Indian Country program for the construction of detention facilities and tribal justice centers.

The Tribe identified a need for a Tribal Justice Center to provide a comprehensive, holistic justice program where law enforcement, probation, court and detention could be housed in one location. This approach is consistent with DOJ and BIA efforts to coordinate agency programs to enhance program performance. To achieve this goal, the Puyallup Tribe initiated the design and construction of a 43,932 square foot “Justice Center” to be located on the Puyallup reservation. The total construction cost of our Justice Center is estimated to be \$25.6 million. It will provide facilities for the delivery of judiciary services, including a 14,700 square foot adult corrections facility (28 beds), a 12,354 square foot law enforcement command center, and a 16,878 square foot Tribal court center. The Tribal court center will include courtrooms, judges’ chambers, court clerk, prosecution, probations and public defender.

We are building the project in phases in order to meet budgetary constraints. Phase I involves the initial construction of the corrections facility at a cost of \$9.6 million. The Tribe was successful in securing ARRA grants to partially fund the construction of the corrections facility; the remaining balance will be supplemented with Tribal funds to complete Phase I. Construction on the facility commenced in March 2013 and a temporary occupancy permit was issued by the Bureau of Indian Affairs in February 2014. The grand opening of the Corrections Facility is being scheduled for May 2014.

Phase II will involve the construction of the law enforcement command center at a cost of \$7 million and Phase III will consist of the construction of the Tribal court center at a cost of \$9 million. The total cost of Phases II and III of the Justice Center is estimated to be \$16 million. Adequate funding for the Department of Justice Detention Facilities Construction in Indian Country program will assist the Puyallup Tribe realize its vision for a “Justice Center”.

Office of Community Oriented Policing Services: The FY 2015 Budget request for the COPS programs is \$274 million, which includes \$35 million to fund tribal law enforcement expenses. While this represents an increase of \$15 million from the FY 2014 requested amount and is appreciated, the actual fund need for the COPS programs for Indian Country is \$52 million. The demand for law enforcement services will continue to increase as tribal governments continue to enhance civil and criminal justice administration. This is particularly true given the recent recognition by Congress in the reauthorization of the Violence Against Women Act of tribal jurisdiction over domestic and dating violence offenses, regardless of whether an offender is Indian. The Tribe requests that the FY 2015 Budget include \$52 million for the COPS programs.

Furthermore, the FY 2015 Budget needs to provide adequate funding for the COPS Tribal Resources Grant Program which allows tribes to purchase much needed equipment

and supplies for community police services. While the Tribe is supportive of the increase of funds dedicated to necessary law enforcement resources, we need to stress the importance of sufficient funding for the Tribal Resources Grant Program. Necessary law enforcement training, equipment, vehicles and technologies is essential for our law enforcement officers fulfill their responsibilities.

Office on Violence Against Women: In addition, the FY 2015 Budget requests \$423 million for the OVW, which includes \$46.1 million to address the high victimization rates of American Indian and Alaskan Native women for the crimes of domestic violence, sexual assault, dating violence, and stalking on tribal lands. The majority of these funds will be available to Tribes through the VAWA Grants to Indian Tribal Government Program. Also, within the OVW funding is the President's request of \$550,000 for the Indian Country Sexual Assault Clearinghouse to provide free on-site training and technical assistance on the handling and prosecution of cases which involve domestic and dating violence against Native women. We supported these requests in the past and continue to the funding request contained in the FY 2015 Budget.

We also join with NCAI, other tribal governments, and Native women across this country in commending Congress and the Administration in the recent reauthorization of the Violence Against Women Act, and its recognition of the inherent authority of tribes to investigate and prosecute Indians and non-Indians who commit crimes of dating and domestic violence. It is now time for Congress to appropriate the necessary funding for tribal justice departments to exercise this inherent jurisdictional authority. This funding will be absolutely critical to the successful implementation of the law.



**OFFICIAL TESTIMONY OF
JEFFREY R. BENOIT
PRESIDENT AND CEO, RESTORE AMERICA'S ESTUARIES**

**FISCAL YEAR 2015 APPROPRIATIONS
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE,
SCIENCE, AND RELATED AGENCIES**

March 31, 2014

Restore America's Estuaries is a nonpartisan, nonprofit organization that has been working since 1995 to restore our nation's greatest estuaries. Our mission is to restore and protect estuaries as essential resources for the Nation. Restore America's Estuaries is a national alliance of community-based coastal conservation organizations across the nation that protect and restore coastal and estuarine habitat. Our member organizations include: American Littoral Society, Chesapeake Bay Foundation, Coalition to Restore Coastal Louisiana, Save the Sound—a program of the Connecticut Fund for the Environment, Conservation Law Foundation, Galveston Bay Foundation, North Carolina Coastal Federation, EarthCorps, Save The Bay—San Francisco, Save the Bay—Narragansett Bay, and Tampa Bay Watch. Collectively, we have over 250,000 members nationwide.

As you craft your Fiscal Year 2015 Commerce, Justice, Science and Related Agencies appropriations bill, Restore America's Estuaries encourages you to provide the funding levels below within the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) for core programs which greatly support coastal community economies:

- **\$24 million for Fisheries Habitat Restoration**
(CJS: NOAA: ORF: NMFS: Habitat Conservation & Restoration: Fisheries Habitat Restoration)
- **\$3 million for the Coastal and Estuarine Land Conservation Program (CELCP)**
(CJS: NOAA: PAC: NOS: CELCP Acquisition)
- **\$22.9 million for National Estuarine Research Reserve System**
(CJS: NOAA: ORF: NOS: Ocean and Coastal Management and Services: National Estuarine Research Reserve System)
- **\$1.7 million for National Estuarine Research Reserve Construction**
(CJS: NOAA: PAC: NOS: NERRS Construction)

These **non-regulatory** investments strengthen and revitalize America's communities by buffering against storms, supporting commercial fisheries, preventing erosion, protecting vital infrastructure, eliminating public safety hazards, and providing new recreational opportunities.

Dana Bethea

Research Ecologist, NOAA NMFS SEFSC

Panama City, FL

Dear Committee Members,

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity.

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper monitoring and ecology. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab's presence, including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA

Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

Specific items of note from each line office include:

1. NMFS:

Stock Assessment Science:

The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would

be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

2. N.C. Coastal Reserve and National Estuarine Research Reserve:

Impacts of Closure to the Reserve, Strategic Location, and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education

K-12 field trips

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship

Volunteer service at the Rachel Carson Reserve

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research

Research permits

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program*Coastal Training Program workshops*

- 31 workshops
- 1076 participants

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

Sincerely,

Dana M. Bethea



Animal Welfare Institute

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FISCAL YEAR 2015 TESTIMONY FOR THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

**Submitted by Nancy Blaney, Senior Policy Advisor
March 31, 2014**

Chairman Wolf, Ranking Member Fattah, and distinguished Members of the Subcommittee, thank you for accepting our testimony in support of Fiscal Year 2015 funding for activities under the Office of Justice Programs (OJP) and the office of Community Oriented Policing Services (COPS) of the U.S. Department of Justice (DoJ). We ask that no further cuts be made in appropriations for these programs and that, to the extent possible, funding be restored so that they are better able to serve their missions.

As noted on its website: “The Office of Justice Programs (OJP) provides innovative leadership to federal, state, local, and tribal justice systems, by disseminating state-of-the art knowledge and practices across America, and providing grants for the implementation of these crime fighting strategies. ...OJP works in partnership with the justice community to identify the most pressing crime-related challenges confronting the justice system and to provide information, training, coordination, and innovative strategies and approaches for addressing these challenges.”

Elsewhere, the COPS website defines community policing as “a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.” There is an emphasis on training and technical assistance; creative, innovative, and experimental community policing strategies; and best practices, among others efforts.

Nothing is more creative, innovative, or proactive, nor more open to dynamic partnerships, than addressing community safety through training, technical assistance, partnerships, and development of problem-solving strategies designed to improve the prevention, investigation, and prosecution of animal cruelty. Unfortunately, reduced funding has impaired the ability of these programs to meet the demand for training and assistance in this area.

Animal cruelty is both a crime (with all 50 states now recognizing certain acts as felonies) and a manifestation of social disorder. The connection between animal abuse and other forms of violence has been firmly established through both experience and science. “Animal abusers are five times more likely to commit crimes against people, four times more likely to commit property crimes, and three times more likely to have a record for drug or disorderly conduct offenses.”¹¹

One “gold standard” studyⁱⁱ has identified animal abuse as one of four significant predictors for who is likely to become a batterer. Criminals and troubled youth have high rates of animal cruelty during their childhoods, perpetrators were often victims of child abuse themselves,ⁱⁱⁱ and animal abusers often move on to other crimes.

Another research project being overseen by an FBI special agent involves “analyzing the criminal histories of offenders who were arrested for active animal cruelty, in order to further examine the potential link between animal cruelty and violence against persons.” According to an initial analysis published in a dissertation (Leavitt, 2011), the majority of the 66 offenders examined so far “had prior arrests for other crimes,” including interpersonal violence (59 percent), assault (39 percent), and assault of a spouse or intimate partner (38 percent); 17 percent had a history of sexual offenses. The publication of final results is expected by the end of the year.

All of this experience combined with the growing body of research makes a compelling case that addressing animal cruelty is a significant tool for enhancing public safety. For example, the Los Angeles Police Department’s Animal Cruelty Task Force attributes an increase in citizen-provided videos documenting animal cruelty to “a deep concern for public safety.” A press release (January 15, 2014) states that “[w]itnesses come to the realization that anyone that would commit such horrific acts of violence on defenseless animals could also do the same to humans.”

Nowhere is this clearer than in the well-documented relationship between animal cruelty and domestic violence, child abuse, and elder abuse. Up to 71 percent of victims entering domestic violence shelters have reported that their abusers threatened, injured, or killed the family pet; batterers do this to control, intimidate, and retaliate against their victims; they may be trying to coerce them into allowing sexual abuse or to force them into silence about abuse.^{iv} This poses a significant public safety and public health problem. In one study, 48 percent of women responding reported they had delayed leaving an abusive situation out of fear for their pets. (Faver and Strand, 2003) Twenty-six states now specifically allow the inclusion of companion animals in domestic violence restraining orders.

Another connection that is all too common, and all too dangerous, exists among animal fighting, gangs, drugs, illegal guns, and other offenses. The Animal Legal and Historical Center at the Michigan State University College of Law describes dogfighting in these stark terms: “The notion that dogfighting is simply an animal welfare issue is clearly erroneous. Until the past decade, few law enforcement officials or government agencies understood the scope or gravity of dogfighting. As these departments have become more educated about the epidemic of dogfighting and its nexus with gang activity, drug distribution rings, and gambling networks, many have implemented well designed, sophisticated task forces. The magnitude of criminal activity concurrently taking place at the average dogfight is of such a scope as to warrant the involvement of a wide range of agencies, including local, regional, and federal law enforcement agencies and their specialized divisions such as organized crime units, SWAT teams, and vice squads, as well as animal control agencies and child protective services.”

Animal fighting is barbaric and is a violent crime in the truest sense of the term. It causes immense suffering to countless numbers of innocent animals and its presence threatens the safety

of the entire community. It is illegal under both state and federal law, so it well serves the entire community for law enforcement to have the most powerful tools possible to eradicate it. In fact, as part of the farm bill, Congress has added to these tools by closing a significant loophole in the law by making knowingly attending an animal fight punishable by fines and jail time and also making it a separate offense, with higher penalties, to knowingly bring a minor to such an event. This is a significant new tool. Animal fighting is fueled not just by those who train and fight the animals and finance the fights, but also by spectators. Spectators are not innocent bystanders; they are active participants in and enablers of these criminal enterprises—and they also provide “cover” during raids by allowing the organizers, trainers, etc., to “blend into the crowd” to escape arrest.

There is a need to respond proactively to animal cruelty at the very earliest signs and earliest ages, before it becomes a larger public safety issue. “A study conducted over a ten year period found that children between the ages of 6-12 years old who were described as being cruel to animals were more than twice as likely as other children in the study to be reported to juvenile authorities for a violence offense.”^v

The U.S. Department of Justice should be commended for taking note of these developments in what is commonly called “the link,” and then taking steps to respond. OJP showed great vision in recognizing that by identifying precursor crimes, such as animal cruelty and animal fighting, and ensuring proper adjudication of such cases, our criminal justice system can reduce the incidence of family and community violence and change the path of potential future violent offenders.

DoJ has given weight to the need to address animal cruelty crimes as part of an overall strategy for curbing community violence by funding programs that deal with this crime and by weaving the recognition of that connection into its own policies and operations. For instance, in 2009, what would become the Animal Cruelty Working Group had its first meeting. Then-Assistant Attorney General Laurie Robinson was aware of, and wanted to bring staff together to discuss, the link between animal abuse and interpersonal violence (IPV). She “wanted to make sure [they] were using the evidence on animal cruelty to inform how OJP programs were designed and implemented.”

It is especially noteworthy that DoJ, et al, included witnessing animal cruelty on their *Polyvictimization/Trauma Symptom Checklist*, which was developed to “allow lawyers and other advocates to focus on important information about (child) clients’ past victimization history and help advocates better identify and advocate for appropriate placements, disposition plans, trial strategies, services, and treatment.”^{vi} This recognizes the impact that witnessing or being forced to participate in animal abuse has on children and its relationship to later involvement with the criminal justice system. In fact, some states have even enacted or are considering provisions that enhance the penalty for animal cruelty when it is committed in front of a child.

In 2013, DoJ hosted a “listening session” on the topic of “the intersection between animal cruelty and public safety” among its own staff and judges, prosecutors, forensic scientists, and representatives from law enforcement, animal protection, domestic violence, child welfare, and veterinary organizations. At that meeting, which Associate Attorney-General Tony West

attended, then-Acting Assistant Attorney-General Mary Lou Leary said, “The topic of animal cruelty may seem unimportant in the face of events like the Boston bombing, school shootings, and other recent tragedies, but we know there’s a history of animal cruelty in the backgrounds of many perpetrators of violent acts. Understanding this link between animal cruelty and interpersonal violence is critical to the Department.”

That the Department takes this seriously is evident. However, cuts in the OJP and COPS programs are hampering their ability to be the catalyst for innovative responses to animal cruelty and “the link” as envisioned in their missions and in the Department’s commitment to this issue. Prosecutors and other members of the law enforcement community are eager for new thinking and better tools for dealing with animal cruelty crimes in their communities. Funding is needed for training, technical assistance, communication and coordination, and dissemination of best practices.

We hope that Congress will take this important public safety need into consideration when determining funding for programs under BJA and COPS. Enabling DoJ to support initiatives addressing animal cruelty and its relationship to other crimes sends a very strong message to prosecutors, law enforcement, and, most importantly, the community at large, that crimes involving animals are to be taken seriously and pursued vigorously.

ⁱ Thompson, Daria, “The Link Between Animal Abuse and Other Violent Behavior,” in *Deputy and Court Officer*, 2013 Number 3, p.4.

ⁱⁱ Walton-Moss, Benita, Jacquelyn Campbell, et al, “Risk Factors for Intimate partner Violence and Associated Injury Among Urban Women,” *Journal of Community Health*, vol. 30, No. 5, October 2005

ⁱⁱⁱ “Woman’s Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women,” by Flynn (2000), as cited at www.ncadv.org

^{iv} The study “I’ll only help you if you have two legs,” or Why human services professional should pay attention to cases involving cruelty to animals, by Loar (1999), as cited on the website of the National Coalition Against Domestic Violence (www.ncadv.org)

^v Thompson, *Ibid.*, p.4.

^{vi} The Checklist is part of a tool (The Polyvictimization and Trauma Identification Checklist and Resource) developed by The SafeStart Center (a project of the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Programs), the American Bar Association’s Center on Children and the Law, and Child & Family Policy Associates. http://www.safestartcenter.org/pdf/Resource-Guide_Polyvictim.pdf

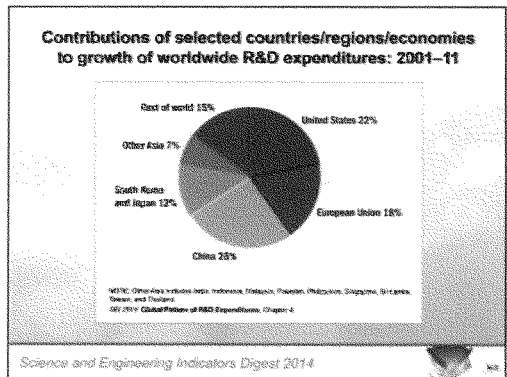
Testimony Regarding Fiscal Year 2015 Funding for
Federal Science and Technology Programs
Submitted to the
Subcommittee on Commerce, Justice, Science and Related Agencies
Committee on Appropriations,
United States House of Representatives
by
Thomas J. Bogdan, President
University Corporation for Atmospheric Research
March 31, 2014

On behalf of the University Corporation for Atmospheric Research (UCAR), I am pleased to submit this testimony to the House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies. UCAR is a consortium of over 100 research institutions, including 77 doctoraldegree granting universities, which manages and operates the National Center for Atmospheric Research (NCAR) on behalf of the National Science Foundation (NSF).

I urge the Subcommittee to provide the maximum amount of support possible for the vital research and education programs administered by the NSF, the National Aeronautics and Space Administration (NASA), and the National Oceanic and Atmospheric Administration (NOAA) in fiscal year 2015.

On February 6, the National Science Board (NSB) released its latest report entitled *Science and Engineering Indicators 2014*. The biennial report makes it increasingly clear that the United States' predominance in science and technology (S&T) eroded further during the last decade, as several Asian nations--particularly China and South Korea--rapidly increased their innovation capacities. According to the NSB report, the major Asian economies taken together now perform a larger share of global research and development (R&D) than the U.S., and China performs nearly as much of the world's high-tech manufacturing as the U.S.

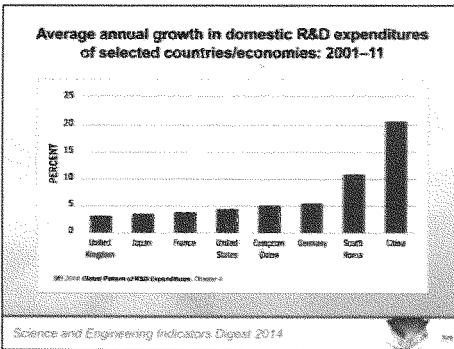
The NSB report makes it increasingly clear that the U.S., Japan, and Europe no longer monopolize the global R&D arena. Since 2001, the share of the world's R&D performed in the U.S. and Europe has decreased, respectively, from 37 percent to 30 percent and from 26 percent to 22 percent. In this same time period, the share of worldwide R&D performed by Asian countries grew from 25 percent to 34 percent. China led the Asian expansion, with its global share growing from just 4 percent to 15 percent during this period. Recognition on the part of national leaders that S&T innovation



contributes to national competitiveness, improves living standards, and furthers social welfare has driven the rapid growth in R&D in many countries.

China and South Korea have catalyzed their domestic R&D by making significant investments in the S&T research enterprise and enhancing S&T training at universities. China tripled its number of researchers between 1995 and 2008, whereas South Korea doubled its number between 1995 and 2006. And there are indications that students from these nations may be finding more opportunities for advanced education in science and employment in their home countries.

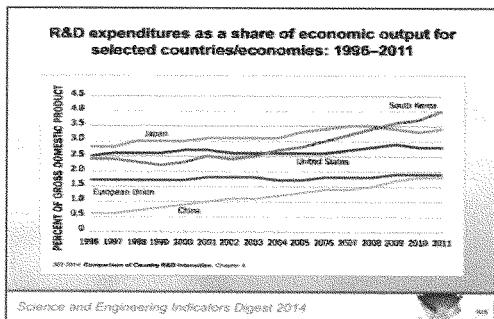
In addition to investing in their research and teaching enterprises, these countries have focused their attention on crucial sectors of the global economy, including high-tech manufacturing and clean energy. The size of China's high-tech manufacturing industry increased nearly six-fold between 2003 and 2012, raising China's global share of high-tech manufacturing from eight percent to 24 percent during that decade, closing in on the U.S. share of 27 percent. In addition, emerging economies now invest more in clean energy--a critical 21st century industry--than advanced economies do. In 2012, emerging economies invested nearly \$100 billion in clean energy, primarily wind and solar, with China serving as the "primary driver of investment" with \$61 billion. China's investment is more than double the \$29 billion spent in the U.S.



One of the most notable S&T trends of the last decade has been the increased innovation capacity of emerging economies as they narrowed many gaps with the West. However, the U.S. S&T enterprise remains the global leader. For example, the U.S. invests twice as much as any other single nation in R&D, despite slipping to tenth in world ranking of the percentage of its GDP it devotes to R&D. In 2011, the U.S. spent \$429 billion on R&D, compared to China's \$208 billion and Japan's \$146 billion. Among other S&T metrics, the U.S. leads in high quality research publications, patents, and income from

intellectual property exports.

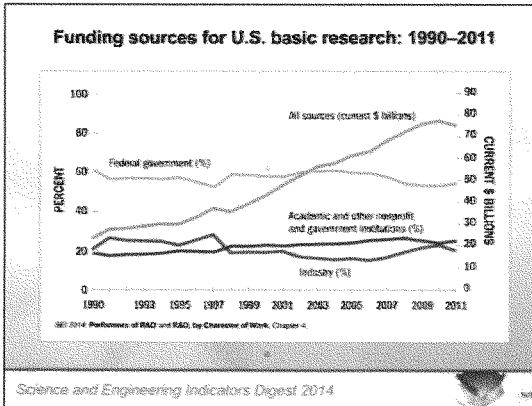
While the U.S. remains the world's leader in science and technology, there are numerous indicators showing how rapidly the world is changing and how other nations are challenging our predominance. As other countries focus on increasing their innovation capacities, we can ill afford to stand still. We now face a competitive environment undreamt of just a generation



ago as indicated in the chart entitled *R&D Expenditures as a Share of Economic Output for Selected Countries/Economies: 1996-2011*.

The federal government has a critical role in funding R&D. To a large extent, the federal government devotes resources to R&D to fund projects that, despite their potential for improving economic growth and people's well-being, would be unattractive for businesses to pursue.

Businesses tend to underinvest in R&D because the returns from their investment are often smaller than the returns to the economy as a whole.



The knowledge generated from a basic research project can often be used—without compensation—by other firms within and outside their industry. To make up for this underinvestment, the federal government has played a major role in funding R&D. Federal support for basic research is particularly crucial because the lack of direct commercial applications from basic research

projects—as well as the uncertainty of project success—can deter businesses from performing basic research even though some studies have shown that it is this form of R&D that generates the greatest economy-wide returns.

Economists studying the link between science funding and economic growth have found that innovation through R&D is the primary driver of growth over the long run. Nobel prize winning MIT economist Robert Solow famously found that over half of increases in economic productivity can be attributed to new innovations and technologies. Another similar study that attempted to quantify the impact of R&D on economic growth found that increases in the level of research intensity in the U.S. and four other developed countries may have accounted for close to 50 percent of U.S. economic growth between 1950 and 1993.

The return on investments in the atmospheric sciences exemplifies how federal R&D drives economic growth. The commercial weather industry leverages U.S. investments in weather observation, atmospheric research, and computer modeling to produce tailored products for a wide variety of clients, including the general public. There are now more than 350 U.S. commercial weather companies, and they are estimated to generate nearly \$3 billion in annual revenues. The growth rate of this industry is estimated to be about 10 percent per year.

This entire weather industry is directly dependent on the federal scientific infrastructure, and most of its tools and technologies were developed in universities and laboratories with federal R&D dollars. In fact, a nationwide survey indicates that the U.S. public obtains several hundred billion forecasts each year, generating \$31.5 billion in benefits compared to costs of \$5.1 billion, a 6 to 1 direct return on investment.

Even though federal support for research – particularly basic research – is inextricably linked with long term economic growth, federal funding for basic research has dropped since 2004. In real dollars, the federal government spends less on non-defense R&D than it did ten years ago, even as Asian R&D investments have ballooned. R&D is no longer prioritized in the federal budget as it once was. As a percent of GDP, U.S. federal R&D has been cut by over one third from 1.3% to 0.8% since 1976. Many of these cuts have fallen on the atmospheric and geospace sciences, and universities and laboratories including NCAR have been forced in recent years into difficult layoffs of researchers and other staff. This comes at a steep cost to our future.

This Subcommittee – with its oversight for the NSF, NOAA, and NASA – is singularly responsible for determining over 50 percent of the annual federal investment in non-biomedical non-defense research – the very research portfolio so critical to long term economic growth and international competitiveness. For all of these reasons – though confronted by extreme constraints in overall spending – it is vitally important for the future health and well-being of our citizens that the Congress do all it can to support this Subcommittee's ability to fully fund its R&D portfolio as exemplified in the funding decisions you will be making regarding NSF, NOAA, and NASA. The University Corporation for Atmospheric Research and its more than 100 member institutions respectfully urge the Subcommittee to maintain its strong priority commitment for research and education as it moves to develop its FY 2015 appropriations recommendations.

We appreciate very much the opportunity to provide these views and stand ready to provide whatever assistance we can to the Subcommittee and its members.

Thank you.



Written Testimony American Geosciences Institute

Testimony Submitted by American Geosciences Institute

Maeve Boland, Director of Geoscience Policy
Abigail Seadler, Geoscience Policy Associate

To the United States House of Representatives Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

March 31, 2014

Thank you for this opportunity to provide the American Geosciences Institute's perspective on fiscal year (FY) 2015 appropriations for geoscience programs within the Subcommittee's jurisdiction.

The American Geosciences Institute (AGI) supports earth science research sustained by the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), the National Institute of Standards and Technology (NIST), and the National Aeronautics and Space Administration (NASA). Frontier research on the Earth, energy, and the environment has fueled economic growth, mitigated losses, and sustained our quality of life. The Subcommittee's leadership in supporting geoscience-based research is even more critical as our nation competes with rapidly developing countries, such as China and India, for energy, mineral, air, and water resources. Our nation needs skilled geoscientists to help explore, assess, and develop Earth's resources in a strategic, sustainable, and environmentally sound manner and to help understand, evaluate, and reduce our risks to hazards. **AGI recognizes our nation's financial challenges and also the necessity for steady and sustained growth in investment in science and technology for the future. AGI respectfully requests \$1.322 billion for the Geoscience Directorate at NSF and \$1.853 billion for NASA Earth Science programs to keep pace with inflation. AGI supports the President's request for \$5.497 billion for NOAA and \$900 million for NIST.**

AGI is a nonprofit federation of about 50 geoscientific and professional societies representing more than 250,000 geologists, geophysicists, and other Earth scientists. Founded in 1948, AGI provides information services to geoscientists, serves as a voice for shared interests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role the geosciences play in society's use of resources, resilience to hazards, and the health of the environment.

National Science Foundation: AGI supports a minimum increase of \$18 million over the President's request for the Geosciences Directorate to keep pace with inflation, and an overall budget of \$7.255 billion for NSF. NSF is vital national incubator for scientific breakthroughs that will fuel economic growth and for developing the educated workforce that is needed to drive innovation and global leadership in science, engineering, and technology. AGI believes that investment in NSF programs, where research is funded based on competitive scientific merit and peer review, will pay important dividends in our understanding of the world we inhabit and will play a critical role in maintaining U.S. dominance in science and technology long into the future.

NSF Geosciences Directorate: AGI is very disappointed that the President's request for a 0.1 percent increase for the Geoscience Directorate (GEO) does not come close to matching inflation, which averaged 1.5% in 2013, and thus presents an effective cut in funding for geoscience research and infrastructure. AGI recognizes the challenges faced by Congress in balancing the nation's budget and respectfully asks the Subcommittee to provide the Geosciences Directorate with a modest funding increase of 1.5 percent over FY 2014 levels, which would do no more than match inflation and maintain current funding levels for the geosciences.

AGI asks the Subcommittee to provide \$254 million for Atmospheric and Geospace Sciences, \$180 million for Earth Sciences, \$362 million for Ocean Sciences, \$85 million for Integrative and Collaborative Education and Research (ICER), and \$441 million for Polar Programs, for a total investment of \$1,322 million in NSF's Geoscience Directorate.

The Geosciences Directorate (GEO) is the principal source of federal support for academic earth scientists and their students who are seeking to understand the Earth and the processes that sustain and transform life on this planet. The Geosciences Directorate provides about 65 percent of federal funding for basic geoscience research at academic institutions. According to NSF data, the Directorate distributes about 1,700 awards annually involving about 14,700 people and supporting indispensable research infrastructure and instruments.

Understanding the Earth improves our ability to anticipate and mitigate the effects of natural hazards such as earthquakes, landslides, and tsunamis, to make long- and short-term weather forecasts, locate and appropriately develop earth resources, to sustainably manage our environment, and to make well-informed decisions at all levels from the individual citizen to national and international policy makers.

NSF's Division of Polar Programs (PLR) funds basic research in the Arctic and Antarctic and manages all U.S. activities in Antarctica as a single, integrated program. The polar regions are the focus of intense scientific and political interest as new navigation routes are opening access to resources and presenting security challenges. NSF-funded research and infrastructure are helping the United States understand environmental conditions in extreme environments, develop polar technology, and construct data-driven strategic and security policies. AGI suggests a minimum of \$441 million for the Division of Polar Programs.

NSF funds facilities that enable researchers to access locations, data, and technologies that serve the overall research community. AGI strongly supports robust and steady funding for infrastructure and the operation and maintenance of major facilities, including the Academic Research Fleet, Geodetic and Seismological Facilities for the Advancement of Geosciences and EarthScope (GAGE and SAGE), Ocean Drilling Activities, the Ocean Observatories Initiative, and the National Center for Atmospheric Research (NCAR).

Directorate for Education and Human Resources: NSF support for geoscience education must be maintained if we are to meet the demand for a skilled workforce and an informed citizenry prepared to make well-informed decisions about the management of our planet and its resources. Outreach and education are important at all levels from K-12 through graduate level and should include formal and informal outlets to facilitate lifelong learning. AGI strongly supports funding for geoscience education at all levels and particularly supports programs to diversify the geoscience student population and workforce. AGI urges Congress to fund programs in NSF's Directorate for Education and Human Resources, including NSF Scholarships in STEM, Graduate Research Fellowships, Climate Change Education, Research Experiences for Undergraduates, and Advancing Informal STEM Education.

National Oceanic and Atmospheric Administration: AGI supports the President's request for \$5.497 billion for NOAA. We hope the Subcommittee will continue to support the National Weather Service (NWS), Oceanic and Atmospheric Research (OAR), National Ocean Service (NOS), and the National Environment Satellite, Data and Information Service (NESDIS). These programs are critical for understanding and mitigating natural and human-induced hazards in the Earth system while sustaining our natural resources. Geoscientists rely on NOAA for much of the data and long-term monitoring that enable research and rapid response to events such as hurricanes, drought, marine oil spills, and a range of coastal phenomena.

National Institute of Standards and Technology: AGI supports the President's request for \$900 million for the NIST. Basic research at NIST is conducted by earth scientists and geotechnical engineers and used by the public and private sectors on a daily basis. The research conducted and the information gained is essential for understanding natural hazards and for identifying the infrastructure needed to build resilient communities and stimulate economic growth. Advanced infrastructure research will help to reduce the estimated average of \$52 billion in annual losses caused by floods, fires, and earthquakes.

NIST is the lead agency for the National Earthquake Hazard Reduction Program (NEHRP), but has received only a small portion of authorized and essential funding in the past. AGI strongly supports the reauthorization of the National Earthquake Hazards Reduction Program (NEHRP) in this Congress. We hope the appropriations subcommittee will continue to support this effective and cohesive program, even if the authorizing legislation takes more time to

complete. NEHRP is an excellent example of how to coordinate different entities for the safety and security of all. NEHRP develops effective practices and policies for earthquake loss reduction and accelerates their implementation; improves techniques for reducing earthquake vulnerabilities of facilities and systems; improves earthquake hazards identification and risk assessment methods and their use; and improves the understanding of earthquakes and their effects.

National Aeronautic and Space Administration: AGI is disappointed that the President proposes a 3.1 percent cut to Earth Science functions at NASA. NASA needs to maintain its current fleet of Earth-observing satellites, launch the next tier, and accelerate development of the subsequent tier of missions. The observations and understanding about our dynamic Earth gained from these missions is critical to research and to life-sustaining functions like weather forecasting, emergency service response and planning, and tracking ash plumes or oil spills that disrupt the economy and the environment. **We respectfully suggest that funding levels should at least match inflation and therefore we ask that \$1,853 million be appropriated for Earth Science Programs within the NASA's Science Mission Directorate.**

AGI applauds NASA's successful launch of the Landsat 8 satellite in February, 2013, which will enable the continuation of a 40-year record of Earth observations in conjunctions with the U.S. Geological Survey (USGS). Geoscientists use Landsat data to monitor, predict, and help land managers to address drought, wildfires, changes in vegetation, and other changes to the Earth's surface. AGI strongly supports the NASA/USGS Sustainability Land Imaging Architecture Study Team which is examining options for continuing Landsat-compatible observations into the future and urges Congress to support and fund their efforts.

Thank you for the opportunity to present this testimony to the Subcommittee. If you would like any additional information for the record, please contact Maeve Boland at 703-379-2480, ext. 228 voice, 703-379-7563 fax, mboland@agiweb.org, or 4220 King Street, Alexandria VA 22302-1502.



Fiscal Year 2015 Testimony Before the Subcommittee on Commerce,
Justice, Science and Related Agencies of the Committee on
Appropriations, United States House of Representatives

*Submitted by Donald J. Brackman, Director
National White Collar Crime Center*

Chairman Wolf, Ranking Member Fattah, Members of the Subcommittee, on behalf of the National White Collar Crime Center (NW3C), I appreciate the opportunity to provide written testimony about the Fiscal Year (FY) 2015 Department of Justice budget, and on behalf of thousands of state, local, tribal, and territorial (SLTT) law enforcement agencies, officers, prosecutors, securities regulatory agencies, and other criminal justice professionals, we urge the Committee to provide \$20 million for the Economic, High-technology, and Cybercrime Prevention Program which provides competitive grants, training and technical assistance to support efforts to combat economic, high technology, and Internet crimes, including the intellectual property crimes of counterfeiting and piracy. As the recent Target security breach demonstrated, financial and cyber crimes are highly prevalent and it is imperative, now more than ever, that the federal government provides strong investments in a program that prepares law enforcement to respond to rapidly evolving forms of white collar crime.

NW3C is the premier nationwide provider of economic, high technology, and Internet crime prevention training and technical assistance that is specifically designed to meet the needs of SLTT law enforcement. NW3C is the nationwide leader in developing and delivering cyber and financial crime investigation training, including intellectual property crime enforcement training and technical assistance.

NW3C's predecessor organization was created in 1978 by Robert Morgenthau, the former Manhattan District Attorney. In 1992, the organization was incorporated as the National White Collar Crime Center, a non-profit corporation. Since that time, NW3C has grown and developed into the leading provider of law enforcement training throughout the United

States, providing on-going support to the Manhattan District Attorney's Office and thousands of other criminal justice agencies across the country.

"Over the past few years, our collaboration with NW3C has allowed for the expansion of my office's Cyber Academy, enabling our in-house instructors to conduct comprehensive, multi-day trainings for law enforcement agencies and prosecutor's offices around the city, state and country. I look forward to continuing this partnership in the future." Cyrus Vance, Jr.,
Manhattan District Attorney

Financial crime is a detriment to our national economy as evidenced in recent years by the large volume of mortgage fraud resulting in the decimation of local communities. Because so many people have incorporated the use of technology into their lives, the reach of the financial criminal has expanded exponentially.

Funding provided by the Economic, High Technology, and Internet Crime Prevention Program has allowed the Department of Justice and SLTT law enforcement agencies to develop strategies targeting financial crimes, such as mortgage fraud, and supporting investigations and successful prosecutions of these crimes.

For example, using competitive grant funds from the Program, NW3C was able to provide investigative assistance that contributed to the success of "Operation Checkmate", a multi-million dollar identity theft ring spanning thirteen states. In all, nine defendants were found guilty and sentenced to a combined total of 49.75 years in federal prison. Victims in this high-profile case included then Federal Reserve Chairman Ben Bernanke and his wife.

Intellectual Property (IP) crime is another financial crime that has been rapidly increasing because of the criminal use of technology to trick and defraud victims. IP crime is a very serious problem in the U.S. that most SLTT law enforcement agencies do not have the knowledge and resources to deal with effectively. Part of the problem is the perception that IP crime is a victimless crime. The reality is that much harm is done and there is great risk to the local, regional, and national economy and to our public health and safety.

As part of the Economic, High Technology, and Internet Crime Prevention Program, NW3C partnered with the National Association of Attorneys General (NAAG) to develop a critical financial crime training and technical

assistance project to help SLTT law enforcement agencies fight IP crime. The project includes nationwide, regional training seminars to educate law enforcement about the impact of IP crime, and to identify resources available to help them from both federal agencies and the private sector. NW3C also provides hands-on, investigative training to give law enforcement the tools and resources needed to pursue these types of criminals, and onsite and remote technical assistance to agencies to support their enforcement efforts.

Using IP Crime Program funding, NW3C was able to reach over 1,400 officers representing 713 agencies in 41 states. However, the problem exists in many more cities and much more training is needed to make real progress. Although officers trained under the Program have been responsible for getting millions of dollars worth of counterfeit goods off the streets, and numerous arrests and prosecutions, much more can be accomplished with additional IP Crime Program funding to support more state-specific training and assistance.

According to the 2014 Pew Internet and American Life Project, 87% of all American adults use the Internet thereby making them all potential victims. The Norton 2013 Cybercrime Report estimates the size of the current cybercrime problem to be 378 million adult victims each year who suffer \$113 billion in direct cash losses.

The Economic, High Technology, and Internet Crime Prevention Program has had a measurable impact on addressing cyber crime by providing competitive grants to organizations such as NW3C.

For example, upon completion of NW3C computer forensics courses, officers from the New York Police Department's cyber crime unit were able to provide valuable input leading to the conviction of Jose Pimental a/k/a/ Muhammad Jusef, for building improvised explosive devices to detonate in Manhattan, targeting U.S. military personnel and civilians.

"NW3C knows what state and local law enforcement needs are. They provide the best training of any organization in the nation, bar none."

James Hood, Mississippi Attorney General

NW3C offers more than 25 courses, including economic and financial crimes training on intellectual property crime investigations, mortgage fraud investigations, investment fraud investigations, identity theft, elder fraud, and social media investigations. NW3C also offers high technology and

cyber crime training on network intrusions, cell phone forensics, GPS forensics, computer forensics and tools, and wireless network investigations.

In addition to these training courses, NW3C has used Program funding to develop and provide computer forensic software to assist in criminal investigations. These no-cost tools have proven to be essential to SLTT agencies in cyber crime investigations.

Economic, High Technology, and Internet Crime Prevention Program funding has also allowed NW3C to conduct research projects, such as a national survey of SLTT agency police executives to determine their awareness of, and preparedness for, dealing with the evolving field of electronic crime and digital evidence, and a recent survey that was used to determine the return on investment of a BJA-funded IP grant program involving more than 35 law enforcement agencies.

"Without the commitment of NW3C, our office would be unable to offer such high-quality programs to our agents/investigators...." Governor Tom Corbett, former Pennsylvania Attorney General

As part the support provided under the Economic, High Technology, and Internet Crime Prevention Program, NW3C provides analytical assistance, creates trial-ready demonstratives, and performs public database searches for law enforcement and regulatory agencies, resulting in hundreds of successful investigations and millions of dollars in forfeitures. In 2013 alone, NW3C conducted over 10,000 public record searches and produced 141,623 analytical products, including financial and other types of reports, charts, and graphs.

Cases utilizing NW3C's investigative and analytical support services in calendar year 2013 resulted in:

- Over \$5.25 million in criminal restitution ordered;
- \$4.81 million in criminal fines imposed;
- \$883,000 in forfeiture ordered; and
- More than 37 years of criminal sentences imposed.

NW3C has successfully competed for Bureau of Justice Assistance funding to fulfill these efforts. While funding for the economic, high tech, and cyber crime grants funding line has decreased by 65 percent since FY 2010, the need for high technology law enforcement training has only exponentially increased within this same time period. From Fiscal Year (FY) 2010 through FY2014, the Economic, High Technology, and Internet Crime Prevention Program has been funded by Congress as follows: FY 2010 - \$20 million; FY 2011 - \$17 million; FY 2012 - \$7 million; FY 2013 - \$9 million; and FY 2014 - \$10 million. Law enforcement's ability to respond to the most financially damaging categories of crime in our society is negatively impacted by this severe reduction in funding.

We thank the Subcommittee for its past support of these efforts. In order to address the growing need to help SLLT law enforcement prevent, investigate, and prosecute economic, high-tech, and Internet crimes, we encourage the Subcommittee to provide competitively awarded funding of \$20 million in FY 2015. Additionally, we would like to emphasize the importance of DOJ's work in the growing area of intellectual property crime and ask the Subcommittee to reject the Administration's request to cap funding for this purpose. Thank you for your consideration of our testimony.

As the document below describes NOAA proposes to close the Beaufort, N.C. Laboratory in the NOS budget. I would urge that this not happen. The laboratory is ideally located next to Duke Universities thriving Marine research facility and nearby to the North Carolina Aquarium. The support of this community makes the facility operate at many times the level it could otherwise, and the presence of the facility greatly enhances the coastal community in southeastern North Carolina. This area has come under a number of attacks recently seeing to fundamentally destroy the delicate ecosystems through development, without the NOAA facility I am sure the coast would now be awash in pollution from the proposed industrialization. A coalition of fisheries and tourism interests has managed to keep the area intact but without NOAA and its staff I fear for the worst in the future.

Yours,

Martin Brooke

Attachment:

NOAA's National Ocean Service's Request to Close the Beaufort Laboratory

Issue – Long term cost of maintaining the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research)

"To strengthen NOAA's coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory..."

On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: "this aging facility requires infrastructure repairs and improvements exceeding agency budget resources.."

Response – Urge proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that lead to the request to close this facility.

In recent years, NOAA has invested approximately \$14 million in new construction and renovations at the Beaufort Laboratory.

An updated engineering report (2014) documents the condition of the facility is not structurally unsound. There have been substantial improvements to the facility.

Facilities Upgrades

2006 \$7 M Administration Building replaced (NC NERRs contributed \$1M)

2007 \$2.1 M Bridge replaced – cost shared with Duke University

2008 \$0.86M Maintenance Building replaced
 2009 \$0.5M Air conditioning / Air handler replacement and mold abatement
 2009 \$1.0M Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
 2014 \$1.65M Seawall repair, electrical upgrade and State of NC funded storm water control

Current Staffing at NOAA's Beaufort Laboratory

71 Full time federal staff members, 40 National Marine Fisheries staff, 31 National Ocean Service staff
 33.5 Contract positions and 8 NC NEERs staff

The National Ocean Service, in initiating the closure request, understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 8 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Desired Outcomes

- NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

Science Issues - NOAA's FY 15 Budget Summary

http://www.corporateservices.noaa.gov/~nbo/fy15_bluebook/FY2015BudgetSummary-small.pdf

Issue - While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support **Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia, pathogens and Species Distributions.**

RESPONSES

It is ironic the budget initiative for FY2015 requests increased research funding for coastal ocean issues , including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has

both well-established expertise and facilities required to address many of those very same issues. .

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA.

Dr. John Selden Burke
Fisheries Research Biologist, Retired
NOAA Beaufort Laboratory
215 Star Church Rd.
Marshallberg, NC 28553

I am writing the following letter as a retired former employee of NOAA to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration, and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition, including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a particularly poor choice scientifically. The United States' second oldest Marine Laboratory was strategically established in Beaufort over one hundred years ago because of proximity to the Eastern seaboard's zoogeographic boundary at Cape Hatteras. This section of the coast is of critical importance to the ecology of the North Atlantic. Closing the Beaufort Laboratory would leave this critical section of the East Coast without the laboratory that has and is providing the science and monitoring critical to management of our marine resources. The Beaufort Lab is an internationally recognized leader in fisheries and marine ecology. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding of scientific work completed. Its presence has been a critical factor in developing the area into a hotbed of marine science activity due to the establishment of numerous other complementary institutions, such as Duke University Marine Laboratory, NC Division of Marine Fisheries, NC State University Center for Marine Sciences and Technology, and the University of North Carolina Institute of Marine Science. Ten years ago, these facilities and other like-minded organizations formalized their relationships into a unique and productive collaboration known as the NC Marine Science and Education Partnership. This assemblage of marine institutions, arguably the most diverse and productive marine consortium on Earth, would be irreparably diminished with the closure of the Beaufort Laboratory.

Specific items of note from each line office include:

NOS: The NOS component of the laboratory was established because of NOAA's recognition of the need for research focused on marine system management. The Beaufort Laboratory was

selected to house a critical portion of this effort due to the lab's historical "hands-on" focus on habitats and ecological processes critical to productive fisheries. The fostering of research teams by the Beaufort Laboratory that focused on these more general marine ecological questions has allowed rapid progress on new and pressing marine challenges – monitoring and evaluation of newly established marine protected areas; harmful algal bloom prediction, monitoring and management; assessment and restoration of marine systems damaged by human impacts, including pollution, boat groundings, and overfishing. Closure of the laboratory would destroy the research teams at the forefront of this work, and of greater consequence, destroy the institution whose culture provides the environment for development of cutting-edge marine science to address the problems of the future.

NMFS: The NOAA Beaufort Laboratory is a center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts. It is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL. Responsibilities include critical stock assessments and fishery-independent monitoring surveys for management of East Coast and Gulf fisheries. Most important is the role the lab plays in improving stock assessments and fishery-independent survey techniques recognized as critical for improvement of the effectiveness of fisheries resource management and its future challenges.

N.C. Coastal Reserve and National Estuarine Research Reserve: The NOAA Lab provides a strategic location and facility for the Reserve. The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming, including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site, including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, would leave a large part of the East Coast without the science that it deserves and would dissolve one of NOAA's most productive and innovative institutions. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long term, and to close it now would be a gross misuse of government resources.

Sincerely,

Dr. John Selden Burke
Fisheries Research Biologist, Retired
NOAA Beaufort Laboratory
215 Star Church Rd.
Marshallberg, NC 28553

SEARCH*The National Consortium for Justice Information and Statistics*

Francis X. Aumand III
Chairman



Scott M. Came
Executive Director

Scott Came
Executive Director
SEARCH The National Consortium for Justice Information and Statistics

March 30, 2014

Introduction

Thank you, Mr. Chairman and members of the Subcommittee, for the opportunity to submit testimony on the Department of Justice (DOJ) funding to be provided for in the FY 2015 Commerce, Justice, Science, and Related Agencies appropriations bill. In particular, SEARCH recommends that the National Criminal History Improvement Program (NCHIP) receive an appropriation of \$50 million, and the National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) receive an appropriation of \$5 million.

SEARCH, The National Consortium for Justice Information and Statistics (SEARCH), is a nonprofit membership organization created by and for the states. SEARCH's Governor-appointed, dues-paying Members from the states and territories have the responsibility, among other things, to oversee both NCHIP and NARIP within their states.

Over the years, states have made great strides in meeting their criminal history record improvement goals under both programs. Last year's increase in funding for these programs as reflected in the FY 2014 Commerce, Justice, Science and Related Agencies appropriations was welcomed by the states who continue to use the funding to modernize, enhance and more effectively share data for critical criminal justice and public safety decisions.

With recent NCHIP and NARIP funding, for example, the Kentucky State Police (KSP) has created a firearms application database which collects and houses mental health records, judgments and citations used for supporting documentation when entering denied persons in NICS Index. Funding also allowed for an interface with the state Department of Corrections to obtain offender records and update criminal history dispositions, as well as focus on NICS Index entries. With these efforts, over 22,500 state criminal histories were reviewed, resulting in over half being entered into NICS Index, ultimately keeping guns out of the hands of persons prohibited from receiving or possessing firearms. Kentucky anticipates applying for future funding to improve upon their demonstrated success in enhancing records in these databases.

Maryland has used NCHIP and NARIP funding over the past two years to focus on missing disposition issues, completing thousands of incomplete records, and now over 90% of arrests in the state database have a final disposition. This updated information is available for critical

decisions like gun sales, employment for persons working with vulnerable populations, and overall criminal justice business on the state and federal level.

Georgia is actively using NCHIP funding to ensure synchronization of state and federal criminal history files and to provide accurate and complete criminal history record information for both criminal justice and public safety decisionmaking.

There is still work to be done to realize a truly complete and accurate national criminal history background check system. That system not only informs a variety of critical public safety decisions, but also noncriminal justice decisions, such as those regarding applicants for employment and licensing, to volunteers who work with children and other vulnerable populations, to individuals purchasing firearms. In light of recent, tragic events due to gun violence, and the simultaneous demand for accurate, complete and timely criminal records for a range of decisions, a priority placed on NCHIP and NARIP funding is essential.

The states are eager to leverage FY 2014 and new funds in FY 2015 funding to engage in broad-scale initiatives and partnerships with other state agencies to improve and enhance criminal history record information collection and sharing.

SEARCH appreciates the Subcommittees' recognition that while both NCHIP and NARIP each focus on improvements to the efficiency, effectiveness, timeliness and accuracy of criminal history record and associated data for decisionmaking purposes, each program emphasizes specific and distinct goals. NARIP funding has been heavily focused on enhancing decisionmaking for firearms purchases, such as increasing the number of disqualifying mental health records available to the system. NCHIP is focused on a broader range of criminal history improvements that individual states have prioritized (improving arrest and disposition matching, increasing conviction record availability in the federal systems, etc.). Perhaps most significantly, by current law, still less than half of the states qualify for NARIP funding to improve their contributions to NICS¹. Thus, the majority of the states rely on NCHIP for criminal history record and repository improvements related to all criminal and non-criminal justice decisionmaking. As such, SEARCH makes two key recommendations:

1. Support NCHIP funding for improvements to State criminal history record information so that States can effectively exchange information with other states and the FBI.

The NCHIP program has been successful in helping states to improve the accuracy, reliability and completeness of their automated, criminal history record systems. It is important to note that information stored in the state's criminal history record repositories is the same information that is used for criminal justice decisionmaking (such as at arrest, filing of charges, sentencing and inmate housing) as well as for other public safety and civil decisions (such as decisions regarding firearms transfers, or for individuals applying for employment or volunteer work with vulnerable populations).

¹ NARIP has two main requirements: States must 1) establish a process where those adjudicated as "mentally defective" can seek to reinstate their right to purchase a firearm, and 2) comply with a process to estimate the number of NICS disqualifying records they maintain. Only 20 states have met requirement #1.

Unlike the NARIP, all states qualify for funding under NCHIP to improve their criminal history record systems. States who cannot qualify for NICS funding will be significantly hampered in their efforts to help improve the nation's criminal history record system if they cannot access sufficient resources via NCHIP.

NCHIP's broad objective is to enhance the criminal justice capabilities of state governments by improving the accuracy, completeness and timeliness of criminal history records. These state systems support federal records systems, including the Federal Bureau of Investigation (FBI) Interstate Identification Index (III).² Indeed, seventy percent (70%) of all III records are maintained by the states and thirty percent (30%) are maintained by the FBI.³

Indeed states have used NCHIP funding to solve a variety of information sharing problems. Virginia used the funding to provide electronic access to criminal history records on-site at gun shows, ensuring a rapid check to prevent the transfer of firearms to prohibited persons.

States have used NCHIP widely to improve the completeness and accuracy of criminal history record as well as to create links with the courts to allow automated updates and disposition reporting. In Florida, such work over the past several years resulted in updates to over 2.5 million dispositions.

The increase in funding for NCHIP in FY 2014 and, hopefully, in FY 2015, will reinvigorate a program that had suffered in years past from considerably reduced funding. Because state criminal history records are the primary source for the FBI III database, any constraints on the states weakens the ability of many state and federal programs to identify threats and keep our nation safe.

2. Continue to invest in background screening for firearms purchases

One of the key tools in keeping firearms out of the hands of those who should be prohibited from having them is a robust National Instant Criminal Background Screening System (NICS). Given the tragedies of recent years, significant focus has been placed on our nation's background screening system for firearms purchases.

Approximately 90% of records used to make firearms transfer determinations are records maintained and made available by the states. And, therefore, the overwhelming majority of firearms transfer *denials* are based on state records. States have made their records available despite facing many extraordinary, and well-documented, obstacles to effectively sharing information at the national level and in support of this national system.

Those obstacles include lack of sufficient investment to help build the infrastructure for electronic information sharing, continuing challenges with making disqualifying records (such as felony convictions) available to NICS, and significant policy challenges (particularly with sharing mental health records). NICS has been very successful in denying the sale and transfer of

² The Interstate Identification Index is the national system designed to provide automated criminal history record information of federal offenders and records of offenders submitted by all states and territories.

³ Survey of State Criminal History Information Systems 2010, Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs (November 2011) (<https://www.ncjrs.gov/pdffiles1/bjs/grants/237253.pdf>)

guns to those prohibited from having them. The States and FBI rely on NICS for informed decision-making on daily firearms transactions. There are, however, opportunities for improving the timeliness and availability of information to NICS that can be addressed by targeted funding. For example, there are still millions of records related to felony convictions, under indictment/information, fugitive from justice and drug abuser prohibiting categories that are not always available to NICS.

Continued funding to improve the system's effectiveness for existing requirements related to background screening for firearms purchases is essential.

For example, in New York, NARIP grant funds have significantly improved the records that New York State makes available to the NICS Index. New York built and deployed the NICS Transmission System to allow New York State to efficiently transmit mental health involuntary admissions records, civil guardianships and order of protections to provide better safeguards that prevent firearms from getting into the wrong hands. The State also completed system changes to collect and report Misdemeanor Crimes of Domestic Violence (MCDV) convictions to NICS as firearm permit prohibitors so that vulnerable spouses, children and intimate partners are further protected. The State also completed analysis and significant system enhancements to improve the accuracy and completeness of disposition data made available to NICS via New York's Criminal History Reports.

SEARCH urges the Committee to continue to make a meaningful investment in building our nation's capabilities to effectively conduct background screening for firearms purchases. For that investment to be successful, it should also remove the roadblocks to successful state participation and develop strategies to improve the availability of disqualifying records to the NICS Index.

It is also critical that decisionmakers ensure all states receive or are eligible for grant funding to support improvements to NICS and that new funding is authorized and appropriated for this work. It is likely that many states will not meet the "relief from disabilities" requirement attached to NARIP funding. While SEARCH does not have a policy position on this requirement, to disqualify states from funding to improve their criminal history record system only weakens the potential for a national system that provides the most complete, accurate, and timely records to inform critical decision-making. The fact that more than half of the states do not qualify for NARIP makes NCHIP that much more important.

Today, the accuracy, completeness and reliability of the nation's criminal history record system is more important than ever before, for law enforcement investigations; officer safety; sentencing and other criminal justice purposes; for expungement and other reentry strategies; for homeland security and anti-terrorism purposes; for public non-criminal justice purposes, such as security clearances and employment suitability; and for research and statistical programs that provide critical guidance for justice assistance decisions and for shaping law and policy. Without an adequate level of funding for the states, the quality of criminal records available nationwide will continue to be negatively impacted.

As you can see from the examples above, for both of NICS and NCHIP, SEARCH encourages Congress to allow states to use funding at their discretion to address the specific challenges each state faces in making more records available to the national system. Funding should also

encourage adherence to performance metrics and accountability measures. SEARCH supports that Congress should expect, and states should define, specific and measurable goals for which they will use the funding to demonstrate progress and impact. SEARCH also encourages Congress to fund technical assistance and technology investments for states to improve automated information sharing systems in support of NICS.

Conclusion

SEARCH thanks the Chairman and members of the Subcommittee for their steadfast support of these programs in the face of daunting budget challenges. Given the reliance on criminal history record systems for critical decisions that keep our citizens safe from guns, predators, terrorists and other criminals, it is a worthwhile and needed investment.

We urge Congress to continue the investment in the Federal-State criminal background screening partnership that comprises NICS. NICS is a critical tool in the fight against gun violence, but funding for its improvement must envision a national scope that is inclusive of all the states. As Florida representatives noted, their successes with information sharing would not have been possible without the support of NARIP and NCHIP funding.

Meaningful NCHIP funding will more broadly improve this nation's criminal justice information sharing backbone. And the federal investment can be leveraged many times over by contributing to the ability of state and local criminal justice agencies to provide timely, accurate and compatible information to federal programs such as III. As Kentucky representatives stated, none of the improvements they had made would be possible without this funding.

On behalf of SEARCH, its governors' appointees, and the thousands of criminal justice officials who participate in the SEARCH network and who benefit from SEARCH's efforts, I thank you for your consideration.

California State Association of Counties



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TESTIMONY OF THE CALIFORNIA STATE ASSOCIATION OF COUNTIES ON THE FISCAL YEAR 2015 CJS BUDGET

SUBMITTED TO THE SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES COMMITTEE ON APPROPRIATIONS U.S. HOUSE OF REPRESENTATIVES

SUBMITTED BY
MATT CATE, CSAC EXECUTIVE DIRECTOR

MARCH 28, 2014

Dear Chairman Wolf, Ranking Member Fattah, and Honorable Members of the Subcommittee:

This testimony is submitted on behalf of the California State Association of Counties (CSAC). Founded in 1895, CSAC is the unified voice on behalf of all 58 of California's counties. The primary purpose of the association is to represent county government before the California Legislature, administrative agencies, and the federal government.

As the CJS Subcommittee prepares to draft its fiscal year 2015 spending bill, CSAC respectfully requests that you provide \$950 million for the State Criminal Alien Assistance Program (SCAAP), which is consistent with the program's previously authorized funding level. CSAC also urges you to address several key SCAAP-related issues (outlined below) to ensure that jurisdictions are adequately reimbursed for the costs of incarcerating undocumented criminals. It should be noted that these issues are of heightened importance in light of the fiscal year 2014 omnibus spending law's (PL 113-76) 25 percent cut to SCAAP.

BACKGROUND ON SCAAP

The SCAAP program, first authorized by the *Immigration Reform and Control Act of 1986* and subsequently modified by the *1994 Crime Act*, partially reimburses state and local governments for incarcerating undocumented criminal offenders with at least one felony or two misdemeanor convictions. Under federal law, grantees must use SCAAP funds for "correctional purposes" only, such as: corrections officers' salaries; corrections work force recruitment and retention; construction of corrections facilities; training/education for offenders; medical and mental health services; vehicle rental/purchase for transfer of offenders; pre-release/reentry programs; and, disaster preparedness continuity of operations for corrections facility.

SCAAP APPROPRIATIONS

Under the aforementioned law, the federal government is required to take all criminal aliens into federal custody. If that is not possible, which has been the case since the program was created, the law calls for the federal government to compensate state and local governments for their incarceration costs. This funding is critical to county governments, who rely on it to offset the high cost of prosecuting, processing, housing, feeding and providing medical care to these undocumented criminals.

Despite the rising costs of incarceration, funding for SCAAP has sharply declined in recent years. Since 2000, the program's funding has been reduced by 70 percent - not accounting for inflation - while state and local detention costs, as well as the number of jurisdictions applying for the program, have significantly increased.

In California, many counties are only reimbursed for 10 percent or less of their eligible SCAAP expenses. By way of example, Los Angeles County received \$6.2 million in SCAAP funding in fiscal year 2012 despite spending nearly \$100 million to incarcerate undocumented criminals (a six percent reimbursement rate). Orange County's 2012 reimbursement rate was even lower (four percent), with the county receiving a \$2.3 million SCAAP award after incurring \$53 million in eligible detention costs. All told, California counties' combined SCAAP reimbursement deficit stretches into the hundreds of millions of dollars annually.

As illustrated by the numbers above, the federal government's failure to protect the nation's borders places an enormous financial burden on California's counties. The downward trend in SCAAP funding, punctuated by the most recent cut to the program, puts additional constraints on counties in California, which are already experiencing significant system pressures associated with implementing public safety realignment (AB 109). In the absence of adequate reimbursement from the federal government, counties will be forced to divert limited local resources away from essential programs, including public safety initiatives. Therefore, CSAC strongly urges you to significantly increase funding for SCAAP in fiscal year 2015.

DOJ REPROGRAMMING AUTHORITY

Congress has traditionally provided statutory authority in annual CJS spending measures that provide the Attorney General with the discretion to reprogram or transfer a certain percentage of funds from State and Local Law Enforcement Assistance grant programs, including SCAAP, to other Agency activities, including research, statistics, management, and administration purposes. During the last two fiscal years, the Department of Justice (DOJ) has fully utilized this discretion to transfer 10 percent of SCAAP funds - the maximum amount allowable - to other justice activities. This reprogramming, which has slashed the amount of SCAAP funding available to jurisdictions by roughly \$48 million, has put added limitations on a program that has already been subject to a series of major spending reductions.

It should be noted that the fiscal year 2014 omnibus appropriations legislation again includes the aforementioned reprogramming language (Sections 505 and 213). Although CSAC understands that this authority provides the Department with flexibility in how it administers and manages programs, it leaves the already significantly eroded SCAAP program vulnerable to additional funding decreases.

Given the importance of SCAAP to California's counties and the State, and in light of recent spending cuts, CSAC urges you to include language in the fiscal year 2015 CJS spending bill that would preclude DOJ from reprogramming SCAAP funding.

CSAC urges the committee to consider the following proposed language:

"None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that reduces the State Criminal Alien Assistance Program."

POTENTIAL RESCISSION OF FISCAL YEAR 2014 FUNDING

In addition to the aforementioned reprogramming language, the fiscal year 2014 omnibus spending law includes language (Section 524) that would allow DOJ to rescind \$59 million in unobligated funds from the Office of Justice Program's state and local law enforcement account no later than September 30, 2014. Because there is precedent for DOJ not to obligate SCAAP funds until the end of the fiscal year or thereafter, SCAAP would be vulnerable to such a rescission in the current fiscal year. Therefore, CSAC urges the committee to insulate the program from a possible rescission pursuant to the authority provided under Section 524.

In this difficult economic climate, it is important to recognize the vital role that SCAAP funding plays in compensating local law enforcement for fulfilling what is essentially a federal function.

Thank you for the opportunity to present these views. If you have any questions or need additional information, please feel free to contact Joe Krahn, CSAC's Washington representative, at 202-898-1444 (jk@wafed.com).

Karen M. Carden
108 Caravel Ct
Havelock, NC

House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in
Beaufort, NC

Dear Members of the Subcommittee,

I want to express my strong opposition to the President's FY 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, and urge the sub-committee to help reinstate funding for this essential resource. This laboratory is a vital part of the local, national, and international marine science community. It has partnerships with academic institutions such as NC State University, UNC-Chapel Hill, Duke University, East Carolina University and UNC-Wilmington, as well as partnerships with economic development activities such as the NC Marine Science and Education Partnership, NC Biotechnology Center, and Marine Biotechnology Center of Innovation. This laboratory has served eastern North Carolina and the nation for 115 years by executing top-notch, award winning, marine science.

The NOAA Beaufort Laboratory is situated in a prime location, between tropical and temperate waters, and provides the only federal access to the most diverse marine ecosystem in the United States. It is unthinkable that the U.S. government would give up on a facility that is located in such a strategic position on our national coastline.

A prime example of research ongoing at the NOAA Beaufort Lab that is important to me is their work on harmful algal blooms. The Neuse River, which is my "back yard," experiences periodic algal blooms and fish kills. After a fish kill, the NOAA Beaufort Lab tests water samples and dead fish to determine the cause(s). This gives local residents ease of mind regarding the health of our river systems and the seafood that we purchase from local commercial fishermen. We had a bad algal bloom scare back in the early 1990's that was supposedly caused by "*Pfiesteria*," a type of algae. This caused a lot of people to stay away from the rivers and made them anxious about buying local seafood. Needless to say, this resulted in major economic damage to eastern North Carolina. Whether most people know it or not, the Beaufort Lab is able to investigate problems of this nature world-wide. This gives me a sense of security in the seafood that I purchase and confidence in the water quality where my seafood originates.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at this unique location and I am a direct benefactor. The science that is conducted at the Beaufort is of the highest quality and has won national and international awards. If you examine the laboratory's science and funding history these folks do good science and they have been doing it on a shoe-string budget for quite some time. Why would the government want to close down a facility that produces high quality products at minimal cost to the United States public ? We're currently funding hundreds of millions of dollars in projects in Afghanistan. I therefore urge you to please restore full funding for this important federal laboratory.

Sincerely,

Karen M. Carden

Name: Mei Carpenter, concerned citizen

Issue 1 – Long term cost of maintaining the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research)

“To strengthen NOAA’s coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory...”

On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: “this aging facility requires infrastructure repairs and improvements exceeding agency budget resources....”

Response 1 – Urge proposed closure of NOAA’s Beaufort Laboratory be removed from the NOS budget. Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility.

In recent years, NOAA has invested approximately \$14 million in new construction and renovations at the Beaufort Laboratory.

There have been substantial **improvements to the facility**, including:

2006—Administration Building replaced (with NC NERRs)

2007—Bridge replaced – cost shared with Duke University

2008—Maintenance Building replaced

2009—Air conditioning/Air handler replacement and mold abatement

2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced

2014—Seawall repair, electrical upgrade and State of NC funded storm water control

Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Issue 2 – The National Ocean Service, in initiating the closure request, understated the number of NOS staff and did not account for the more than 40 National Marine Fisheries Service staff and staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co-located at the facility.

Response 2 – In total, **100-110** staff will be directly affected by this closure.

Issue 3 – While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support **Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia, pathogens and Species Distributions** (see budget summary, page 8, paragraph 1).

Response 3 – The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory’s excellent research capabilities and reputation also attract support, both

from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA. It is ironic that the budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address many of those very same issues.

Additional Talking Points about Fisheries Work conducted at the Beaufort Lab:

Stock Assessment Science:

The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

**Outside Witness Testimony in Support of FY 2015 Funding for the
National Science Foundation**

March 31, 2014

Submitted by:
Julie Palakovich Carr
Public Policy Manager
and
Robert Gropp, Ph.D.
Director of Public Policy

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Submitted to:
House Committee on Appropriations
Subcommittee on Commerce, Justice, Science and Related Agencies

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of fiscal year (FY) 2015 appropriations for the National Science Foundation (NSF). We encourage Congress to provide NSF with at least \$7.5 billion in FY 2015.

The AIBS is a nonprofit scientific association dedicated to advancing biological research and education for the welfare of society. AIBS works to ensure that the public, legislators, funders, and the community of biologists have access to and use information that will guide them in making informed decisions about matters that require biological knowledge. Founded in 1947 as a part of the National Academy of Sciences, AIBS became an independent, member-governed organization in the 1950s. Today, AIBS has more than 140 member organizations and is headquartered in Reston, Virginia, with a Public Policy Office in Washington, DC.

NSF and Innovation

The NSF is an important engine that helps power our nation's economic growth. Through its competitive, peer-reviewed research grants, NSF supports the development of new knowledge that will help to solve the most challenging problems facing society, and will lead to new scientific discoveries, patents, and jobs. The agency's education and training programs are helping to ensure that the next generation has the scientific, technical, and mathematical skills employers are seeking. Investments in research equipment and facilities enable the country to continue to innovate and compete globally.

These efforts, however, require a sustained federal investment. Unpredictable swings in federal funding can disrupt research programs, create uncertainty in the research community, and stall the development of the next great idea.

The budget request for FY 2015 will flat line investments in foundational research at a time when other nations are accelerating their commitments to science. The proposed \$1.5 million cut from the Research and Related Activities account may seem small, but coupled with an anticipated 1.7 percent increase in inflation, NSF research funding would decline by \$100 million next year.

The scientific community recognizes that current fiscal conditions have necessarily constrained federal funding, but NSF is a sound investment that pays dividends. The use of peer-review to evaluate and select the best proposals means that NSF is funding the highest quality research.

Biological Sciences Directorate

The NSF is the primary federal funding source for basic biological research at our nation's universities and colleges. The NSF provides approximately 66% of extramural federal support for non-medical, fundamental biological and environmental research at academic institutions.

A reduction of \$12.8 million is proposed in FY 2015 from the Biological Sciences Directorate (BIO). This is a considerably larger cut than is proposed for any other research directorate. If enacted, the funding rate for biological and environmental research would drop to 18 percent.

The research supported by NSF is unique from the science funded by other federal programs. Unlike most federal agencies, which focus on applied research, NSF supports research that advances the frontiers of our knowledge about biodiversity, genetics, physiology, and ecosystems. Recent discoveries that stem from NSF-funded research include:

- Discovering that members of a particular kind of bacteria work together to find food and survive under harsh conditions. This discovery could lead to new antibiotics or development of new pest-resistant seeds.
- Developing a new technique to manipulate the genes of grasshoppers in order to prevent them from transforming into crop-destroying locusts.
- Studying the impacts of the death of lodgepole pine forests due to bark beetle infestations on the timing of snowmelt and water quality.
- Working to identify the pathway that leads to cells forming into an individual body, information that could lead to improved cancer treatments.

BIO funds research in the foundational disciplines within biology. In addition to supporting our understanding of how organisms and ecosystems function, BIO supports interdisciplinary research at the frontiers of science.

Equally important, BIO provides essential support for our nation's place-based biological research, such as field stations and natural science collections. The Long-Term Ecological Research program supports fundamental ecological research over long time periods and large

spatial scales, the results of which provide information necessary for the identification and resolution of environmental problems.

The FY 2015 budget request would sustain an effort to digitize high priority specimens in U.S. natural science collections. This investment is helping to drive new fields of inquiry and helping scientists and the public gain access to rare and irreplaceable biological specimens and associated data. These efforts are stimulating the development of new computer hardware and software, digitization technologies, and database management tools.

The Dimensions of Biodiversity program supports cross-disciplinary research to describe and understand the scope and role of life on Earth. Despite centuries of discovery, most of our planet's biological diversity (species) is unknown. This lack of knowledge is particularly troubling given the rapid and permanent loss of global biodiversity. A better understanding of life on Earth will help us to make new bio-based discoveries in the realms of food, fiber, fuel, pharmaceuticals, and bio-inspired innovation. It will also increase our understanding of life on Earth and how biological systems and functions respond to environmental changes.

The Major Research Equipment and Facilities Construction account is funding the construction of the National Ecological Observatory Network (NEON). Once completed, NEON will provide the infrastructure necessary to collect data across the United States on the effects of climate change, land use change, water use, and invasive species on natural resources and biodiversity. This information will be valuable to scientists, resource managers, and government decision makers as they seek to better understand and manage natural systems.

STEM Education

NSF plays a central role in science, technology, engineering, and mathematics (STEM) education. Support for the scientific training of undergraduate and graduate students is critically important to our research enterprise. Students recruited into science through NSF programs and research experiences are our next generation of innovators and educators. In short, NSF grants are essential to the nation's goal of sustaining our global leadership in science, technology, engineering and mathematics, and reigniting our economic engines.

NSF's education initiatives support STEM education innovation from elementary school through post-graduate. The Graduate Research Fellowship program is an important part of our national effort to recruit and retain the best and brightest STEM students. NSF proposes to increase both the number of new fellowships as well as the fellowship stipend in FY 2015. The Faculty Early Career Development program (CAREER) supports young faculty who are dedicated to integrating research with teaching and learning.

The administration once again proposes major changes to STEM education programs. Although the plans have been scaled back since the FY 2014 budget request, we are concerned that implementation of these changes will proceed before the full details are known. Given the considerable consequences for student education and training, we hope that Congress will provide careful consideration of the potential impacts to our nation's pipeline of researchers and STEM-skilled workers.

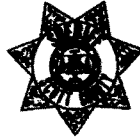
Conclusion

Continued investments in the biological sciences are critical. Sustained support for NSF will help spur economic growth and innovation, and continue to build scientific capacity at a time when our nation is at risk of being outpaced by our global competitors. Please support an investment of at least \$7.5 billion for NSF for FY 2015.

Thank you for your thoughtful consideration of this request and for your prior efforts on behalf of science and the National Science Foundation.

DENNIS CONARD, SHERIFF

Major Michael Brown
Chief Deputy Sheriff



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March 27, 2014

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

Chairman Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.


As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended, the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,



Sheriff Dennis Conard

Wendy Cluse, MEM

31 March 2014

To the Subcommittee:

I am writing in response to the National Oceanic and Atmospheric Administration's FY 2015 Budget Summary that recommends the closure of the NOAA Beaufort, NC laboratory. This closure is proposed in the 2015 President's Budget Request but I urge you to remove that closure from the budget. The NOAA Beaufort North Carolina Center for Coastal Fisheries and Habitat Research and the exceptional scientists and staff that it employs are crucial to discovering, understanding, and managing our coastal habitats. Its unique placement along the southern Outer Banks and the Pamlico-Albemarle-Core Sound estuarine complex make it ideal for studying fisheries ecology, harmful algal blooms, endangered species management, coastal flooding, marine debris, and submerged aquatic vegetation. Beaufort, North Carolina is a hotspot for marine science research and the NOAA Beaufort laboratory is strategically placed in the middle of it all. Closing this lab and displacing its scientists would be ill advised.

From 2002-2010 I worked as a biologist with the North Carolina Wildlife Resources Commission and as a Research Coordinator for the NC Aquariums from 2010-2013. Over those 11 years I worked side by side with many of the Beaufort Laboratory's staff. The cooperation among state, local, and university scientists with NOAA's scientists is unparalleled. This scientific community supports one another, is open to the sharing of ideas, and often collaborates on research endeavors. I have assisted with NOAA marine mammal and sea turtle fieldwork, received a helping hand from NOAA staff and scientists in more ways than I can mention, and shared authorship on NOAA led publications. I can personally attest to the integrity of these exceptional people. I have learned so much while working with them and have seen their commitment to inspiring future scientists. The 71 Federal workers at this lab could be shuffled to other NOAA laboratories nationwide and 33 contract staff may lose their jobs altogether. Laboratory staff are raising children and have extended family in the area, they have bought houses and have added to the culture of this small coastal community. I know from experience that the closing of the laboratory would be felt throughout the entire community.

The statement from NOAA calling the laboratory an aging facility that is beyond repair I feel is false. Since 2007, \$14 million have been invested in renovations and new construction. Like many facilities, repairs and upgrades are always needed, but the costs of maintaining the NOAA Beaufort Laboratory used in the analysis that led to the closure request is inaccurate and overstated. I have been to this laboratory. I have walked its halls and worked in its labs and on its boats. It is a thriving laboratory that would be an absolute waste to shutter completely.

I strongly urge you to reconsider this budget item. Keep the NOAA Beaufort NC Laboratory open and let the science continue.

Thank you for your consideration,

Wendy Cluse, MEM
Biologist
Portland, OR

Enric Cortés, PhD
Research Fishery Biologist
Southeast Fisheries Science Center
Panama City, FL 32408, USA

House Committee on Appropriations
Subcommittee on Commerce, Justice,
Science, and Related Agencies

Re: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort,
North Carolina

March 31, 2014

Dear Members of the Subcommittee:

I am writing this letter to strongly urge the Subcommittee to **reject the proposal in the President's FY2015 budget to close the NOAA laboratory in Beaufort, North Carolina**, and instead fund this facility so that the crucial work carried out can continue in the future. This laboratory is uniquely located to address key marine resource issues throughout the east coast of the US and its loss would represent a devastating blow to the fisheries interests and ecosystem services in the region. The decision to try and close the Beaufort facility represents a short-sighted reaction to a temporary funding concern that dwarfs in comparison to the potential damage that would ultimately be done to the management of marine resources in the southeast region. While I am addressing the committee as a concerned private citizen and not representing the interests of any federal agency or my employer, I have been a NOAA employee for over 15 years and can attest first-hand to both the quality of the research done at this facility and the harm that would be caused by its closing.

The financial reasons given by the leadership of the National Ocean Service (NOS) for closing the Beaufort facility have been misrepresented and overstated. In their justification for closing the lab, NOS cited only the NOS employees that would be impacted, grossly underestimating the total number of workers at the site. In addition to NOS, the lab also houses National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS) programs; between the three groups there are 108 federal, state, and contract employees at the facility, a much larger disruption of staff than initially claimed. Additionally, NOS cited a cost of future maintenance repairs to the facility that was outdated and did not take into account recent work done to upgrade the laboratory and its infrastructure. Thus, since 2006, approximately \$14 million have been spent on repairs and upgrades, including the replacement of multiple buildings. The closure of this facility, after such a large investment in recent years, is a clear waste of taxpayers' money, especially given that a 2014 report showed that the **facility is structurally sound**.

Beyond financial considerations, the closure of the Beaufort lab would be a grave error on scientific grounds because of the loss of high-quality science and scientists associated with the

facility. The NOAA laboratory in Beaufort is uniquely situated to study one of the most diverse ecosystems in the country and is an international leader in studies of harmful algal blooms (HABs) and the invasion of lionfish into the waters of the Atlantic Ocean, both of which are currently having a significant impact on the fisheries resources of the United States. The NMFS programs at the lab are responsible for the **assessment of the major marine fisheries stocks in the southeast**, including menhaden (the largest fishery along the Atlantic coast as well as in the Gulf of Mexico) and the commercially and recreationally important snapper and grouper fisheries. NMFS in Beaufort also provides the only up-to-date information on the currently-closed red snapper fishery along the southeast coast through its SouthEast Fishery-Independent Survey. All of these programs would suffer irreparable damage were the lab to close because NOAA would be unlikely to retain the world-class scientists performing this research in the event their federal positions were transferred to other NOAA facilities in the southeast. The NOAA lab is part of a unique conglomeration of research facilities in the Beaufort area, and the majority of employees would very likely try and remain in the area at a different institution rather than relocate to a less desirable location. Thus, NOAA (and NMFS in particular) would be forced to rebuild these well established programs from scratch. These programs are required to meet congressional mandates laid out in the Magnuson-Stevens Fishery Conservation and Management Act. Just as important for NMFS, the closure of the Beaufort facility would mean that the Fisheries Service would not have a presence along the coast between Sandy Hook, New Jersey and Miami, Florida—an extent that covers over two-thirds of the United States east coast.

In conclusion, closure of the NOAA Beaufort Laboratory is illogical and unsubstantiated and would be devastating both economically and scientifically. It would cripple NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on **flawed estimates of maintenance costs and an outdated engineering report**, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing this facility, which has been operating since 1899, would be trivial; however the loss to the nation, especially in the southeast region, could be devastating.

Respectfully submitted,

Enric Cortés, PhD.

I am writing in opposition to NOAA's National Ocean Service's request to close the Laboratory facility in Beaufort, North Carolina. I work in various capacities with two organizations that would be directly affected by such a closure. One is the North Carolina Wildlife Resources Commission Sea Turtle Beach Project under their permit pursuant to the Federal Endangered Species Act. My capacity is Coordinator for a several mile area of nesting beach on Topsail Island in North Carolina. My other affiliation is with the Karen Beasley Sea Turtle Rescue and Rehabilitation Center located in Surf City, North Carolina.

My understanding is that there are two proposed justifications for closing the Laboratory.

One was stated by a NOAA spokesperson who said that the Beaufort, N.C. laboratory is aging and requires infrastructure repairs and improvements that exceed the agency budget resources. The truth, however, is quite the opposite and the claim of needed improvements and repairs is based on inaccurate and outdated information. In the past several years, NOAA has invested approximately \$14 Million in new construction and renovations at the Beaufort Laboratory, including the following:

1. 2006, \$7 Million to replace the Administration Building (NC NERRs contributed \$1 Million.)
2. 2007, \$2.1 Million for bridge replacement, cost shared with Duke University.
3. 2008, \$0.86 Million to replace the Maintenance Building.
4. 2009, \$1 Million to consolidate and replace the Sample Storage, Chemical Storage and Haz-Mat buildings.
5. 2009, \$0.5 Million to replace air conditioning systems and air handler and for mold abatement.
6. 2014, \$1.65 Million for seawall repair, for electrical upgrades and State of North Carolina funded storm water control.

The other issue relates to both economic and common sense matters. While the National Ocean Service is requesting the closure of the Beaufort, North Carolina laboratory, NOAA is simultaneously requesting a funding increase of \$4 Million to another center for the support research in "Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia, pathogens and Species Distributions." The problem is that the Beaufort laboratory facility already has both well-established expertise and the facilities required to address the very same issues. Indeed, the Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and have long augmented

the support provided by NOAA. From just a cost-effective perspective, it makes no sense to close a well-established laboratory facility, recognized for its expertise and contributions to science, that is well-structured and well-maintained as well as completely competent to continue the much-needed research into coastal ocean issues, including harmful algal blooms, hypoxia and coastal ecosystem management, and that has been recently upgraded at considerable cost, and then spend more money for another facility to do exactly what the Beaufort Laboratory does.

Finally, the Beaufort Laboratory's current staffing includes the following:

- 71 full-time Federal staff members.
- 40 National Marine Fisheries staff.
- 31 National Ocean Service staff.
- 33.5 Contract positions.
- 8 North Carolina National Estuarine Research Reserve's staff members.

In initiating the closure request, the National Ocean Service understated the NOS staff and did not account for the more than 40 national Marine Fisheries Service staff or the 8 staff members on the North Carolina Estuarine Research Reserve (Rachel Carson) who are co-located at the facility. The total number of staff and contractors who will be directly affected by a closure is 108.

My opposition to the proposed closure cannot be understated. My recommendations are as follows:

1. NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.
2. Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
3. Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
4. NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

Thank you.

Todd H. Crawford

Testimony to the House Appropriations Commerce Subcommittee concerning the proposed closure of NOAA's Beaufort Laboratory.

by

Ford "Bud" Cross, Ph.D, NOAA (retired)

Director of the NOAA Beaufort Laboratory (1985-2000)

The purpose of this testimony is to enter my objection to the proposed closure of NOAA's Beaufort, N.C. Laboratory by NOAA's National Ocean Service. Having worked at the Beaufort Lab for 33 years, serving as the Laboratory Director for 15 of those years, I would like to provide you with my assessment of the validity of the NOAA justification for closing the Beaufort Laboratory. (I still reside in the Beaufort area, and I interact with Lab personnel frequently.)

NOAA's Beaufort Laboratory is managed by NOS, where there is a NOS research and administrative staff of 31 full time permanent staff assigned to the NOS National Centers for Coastal Ocean Research. The Lab's official name is the "NOS National Center for Fisheries and Habitat Research". The facility also is shared with NOAA's National Marine Fisheries Service (40 FTE's) with a total of 33 contract employees at the facility. In addition, there are seven State of North Carolina employees who manage the N.C. Rachel Carson National Estuarine Research Reserve - that is part the NOAA/NOS Coastal Zone Management Program.

NOAA claims that about \$58 million is needed to upgrade the facility. This claim is based upon an outdated and , possibly, a partially flawed assessment. Since that assessment, considerable improvements totaling about \$14.5 Million have been made to the facility. In addition, there is about \$1 Million of Hurricane Sandy funds currently being spent to upgrade the facility for storm protection and the State of North Carolina is currently spending \$500,000 for improvements as well. These upgrades include:

- Construction of a new bridge to Pivers Island, where the NOAA Beaufort Laboratory is co-located with the Duke University Marine Laboratory. (Cost shared with Duke University)

- Total upgrade of the A/C system
- Mold abatement
- Internet upgrades
- Improved storm runoff system funded by the State of North Carolina
- Seawall repair
- Electrical upgrades
- Construction of a chemical storage and HazMat building
- Replacement of the maintenance building

All of these improvements have taken place since the facility assessment study was completed. Why were these improvements not taken into account in NOAA's FY 15 Budget Submission?

Previous to the facility assessment, the following improvements had occurred:

- Construction of a new building at a cost of \$7 Million (\$6 Million of NOAA funds and \$1 Million of State of North Carolina funds). This building, dedicated in 2007, houses the Lab administrative staff, library, auditorium and the N.C./NOAA National Estuarine Research Reserve Program.
- Removal of asbestos from the facility.
- Complete renovation of the two story research building. This project involved reinforcing the support structures under the building, tying the floors into the walls (This had not been done upon initial construction.), and replacing the brick around the entire building.) **I understand that a recent informal inspection reported "no significant structural issues".**

This information indicates is the NOAA Beaufort Laboratory is not in a rundown condition and is a safe place to work. A visit to the Laboratory will confirm this point.

Impact on NCCOS Programs

The impact of the laboratory closure on NCCOS research will be devastating. Research in the following areas would be disrupted or eliminated: harmful algal

blooms, coastal pollution, climate change, invasive species (lionfish) impacts, and coastal planning for sustainable marine aquaculture. **(Yet NOS is requesting \$4 Million in additional funds in FY 15 for much of this same work.)** Several of the NCCOS scientists have received national and international awards, and one has received the NOAA Lifetime Scientific Achievement Award. In particular, their research on the importance and conservation on seagrass beds, impacts of harmful algal blooms around the U.S. and the mechanisms of trace element pollution has brought national and international recognition to the Laboratory. Virtually all of this research is being conducted cooperatively with universities, state agencies, other Federal agencies and other programs within NOAA. Much of this research cannot be conducted away from a coastal location.

Is this research of low priority to NOAA/NOS?

Impact on NMFS Programs

Since 1899, when the Beaufort Lab was created by an act of Congress, until 2000, the Lab was part of the National Marine Fisheries Service or its precursor agencies. In the late 1990's, the Administrator of NOAA directed the AA for NOS to develop a research capability in NOS. To satisfy that request, four field laboratories were transferred from NMFS to NOS in 2000. Beaufort was one on those laboratories. However, NMFS research on fisheries and protected species remained at the Lab. Their contribution to Laboratory administrative costs is based on the FTE ratio between NMFS and NOS.

The NMFS fisheries and protected species research at the Beaufort Lab will be highly impacted, if the laboratory is closed. Much of this research is used directly by fisheries and protected species managers, and primarily requires presence at a coastal lab.

Fisheries Stock Assessments

The primary fisheries research at Beaufort deals with population assessments of many of more than the approximately 100 reef fish species (primarily snapper and groupers) that exists between Cape Hatteras and the Florida Keys. The Lab monitors the catch of reef fish on up to 100 head boats that range along the

Southeast Atlantic coast. They then combine these data with estimates of the commercial and other recreational catch to produce an assessment of the impact of fishing on these reef fish populations. These data are then coupled with economic information to estimate the economic effects of various management scenarios. This information is then provided to the South Atlantic Fisheries management Council that has the responsibility of managing fisheries in Federal waters. **The South Atlantic Fisheries Management Council is essentially totally dependent on the Beaufort Laboratory for these management recommendations. Attempts to transfer this staff to another location will fracture the staff, disrupt the flow of management information to the Council, and result in an unnecessary expenditure of funds.**

Menhaden

The Beaufort Laboratory is the only entity that monitors of the catch of the Atlantic menhaden fishery (since 1955) and the Gulf of Mexico menhaden fishery (since 1964). Stock assessments are made periodically and the information is provided to the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commissions for management purposes. **Similar to reef fish, the unnecessary disruption of this research will be costly, it could result in the loss of one of the longest and continuous fisheries data bases in the U.S., and essential management information to the Commissions would be delayed at best.**

Protected Species

The unique geographical location of the Beaufort Laboratory lends itself to one of the best locations along the Atlantic coast to conduct research on endangered and protected species due to the unique mix of estuarine habitats that exists in coastal North Carolina. Here research is conducted on marine mammals and sea turtles. The unique geographical location of the Beaufort Laboratory lends itself to one of the best locations to conduct research on endangered and protected species due to the unique mix of estuarine habitats in central North Carolina and to interact directly with commercial fishermen. The objectives of this research are to better understand direct and indirect effects of

fisheries, climate, and other environmental factors in support of the conservation and recovery of these species as mandated by Federal law.

This research cannot be done in a non-coastal location and effectively not out of North Carolina.

North Carolina Rachel Carson National Estuarine Research Reserve

This program is located in the new NOS building that was dedicated in 2007, and part of that building was designed specifically for their work.

In the new building is an auditorium for coastal training workshops and teaching classrooms for K-12 activities. At the lab, there are piers and boats available for the, literally, five-minute ride to the Rachael Carson Reserve, where hands on marine science is taught. In 2013, there were over 4,900 participants in this program.

Why would NOS drive this program to a much less convenient location, particularly when they included this it in the design plans of a building that is not yet seven years old?

Summary

The proposal to close the Beaufort Laboratory is an unbelievably ill-conceived, and unnecessary idea, that is based on outdated information. Not only will the impacts on two of their own programs be severe (NCCOS and the Estuarine Reserve Program), but the impacts on the NMFS fisheries and protected species programs will be extremely damaging as well. It is curious that NMFS or North Carolina would agree to this proposal. They have everything to lose and nothing to gain.

I wonder if there is a paper trail that shows that NMFS and North Carolina actually agreed to close the Beaufort Laboratory.

I urge this Subcommittee to reject the proposal to close NOAA's Beaufort Laboratory.



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March 31, 2014

The Honorable Representative Frank Wolf
 United States House of Representatives
 241 Cannon House Office Building
 Washington, DC 20515

**RE: FY 2015 Presidential Budget Request
 Beaufort Laboratory Closure**

Dear Chairman Wolf:

On behalf of the Recirculating Farms Coalition (RFC),¹ and all of our members, please accept this letter as formal comments on the President's proposed FY 2015 budget. In the budget's current form the National Oceanic and Atmospheric Administration's (NOAA) Beaufort Laboratory in North Carolina is slated to be closed. RFC is opposed to the closure of this essential laboratory and writes to encourage the Subcommittee to reject this particular aspect of the President's budget, and exclude the closure of NOAA's Beaufort Laboratory in the 2015 FY budget.

Background:

The Recirculating Farms Coalition works with food producers throughout the United States who use naturally cleaned and constantly recycled water without soil as the basis to grow food and other agricultural products. These "recirculating" farmers employ "hydroponics" – growing plants in recirculating nutrient rich water, "aquaculture" – raising fish on land, in tanks with recirculating water (similar to an aquarium) and "aquaponics" – a combination of hydroponics and aquaculture where fish and plants are raised together in one closed-loop symbiotic recirculating system.

As new recirculating farms and other agriculture and aquaculture facilities continue to emerge and expand across the country, the demand for food to feed farmed fish and livestock is ever increasing. Our farmers strive to be eco-efficient – and this includes using fish feed without major ecological impacts. Currently, fishmeal and fish oil production in the United States is largely sourced from menhaden,² of which a significant portion is derived from the Gulf menhaden population.³ In recent years, on average, over 1 billion pounds of menhaden

¹ The Recirculating Farms Coalition is a national non-profit collaborative group of farmers, educators, non-profit organizations and many others committed to building local sources of healthy, accessible food, through eco-efficient farms using clean recycled water. We believe these recirculating farms can create stable green jobs and supply sustainably-grown food—fruits, vegetables, herbs and humanely-raised seafood—in diverse communities nationwide, and someday worldwide. The Recirculating Farms Coalition is headquartered in New Orleans, Louisiana. <http://www.recirculatingfarms.org>

² See Daniel Pauly and Reg Watson, *The Princeton Guide to Ecology* 501, 505 (Simon A. Levin et al. Eds., 2009).

³ Menhaden are fished from both the Gulf of Mexico and the Atlantic Ocean. In 2012, the Atlantic reduction industry landed 160,627 tons of Atlantic menhaden; whereas the Gulf of Mexico reduction industry landed 578,362 tons of Gulf menhaden. See Forecast for the 2013 Gulf and Atlantic Menhaden Purse-Seine Fisheries and Review of the 2012 Fishing Season (March 2013), available at http://www.st.nmfs.noaa.gov/Assets/commercial/market-news/Menhaden_Forecast_Report-2013.pdf

have been pulled from the Gulf of Mexico annually.⁴ There are many alternate, natural and healthy protein sources for fish feed (as well as for other livestock and domestic pets). RFC therefore is concerned by the massive annual take of menhaden from the Gulf.

Ecological Significance of Menhaden:

Gulf menhaden play a critical role in the ecological health and sustainability of the Gulf of Mexico ecosystem. For instance, menhaden are an important food source for marine mammals, seabirds, and larger fish.⁵ Some of the larger fish that prey on menhaden, such as tuna and drum, are also key to the commercial and recreational fishing communities in the region. Furthermore, many seabirds including brown pelicans and ospreys prey on menhaden, as do marine mammals such as bottlenose dolphins and whales.⁶

Beyond menhaden's essential role in the Gulf of Mexico food chain, the fish additionally provide a substantial ecological service to the Gulf of Mexico as a filter-feeder. Large dense schools of juvenile menhaden primarily feed on phytoplankton and detritus; whereas adult menhaden prefer a diet of zooplankton.⁷ Adult menhaden can filter four to eight gallons of water each minute, eating particles and returning the cleaned water back to the Gulf. As the fish clear suspended particles in the water, more sunlight is able to penetrate the water column. Increased sunlight then stimulates the growth of aquatic plants that release dissolved oxygen into the system,⁸ which is beneficial to wildlife. Menhaden therefore play a crucial role in keeping Gulf waters balanced and healthy.⁹

Importance of the Beaufort Laboratory:

The Beaufort Lab plays an essential role in the management of the Gulf menhaden fishery. NOAA employees at the Beaufort Laboratory coordinate invaluable data collection, data processing, and data analysis of the Gulf menhaden fishery. This data originates from the commercial fleet's port samples, catch and fishing effort data sets, and logbook data from the menhaden fishing vessels. The following list is just an example of many of the Beaufort Lab's activities as it pertains to the Gulf menhaden fishery:

- ▲ Arrange biologists or contractors to process port samples annually;
- ▲ Set up and stock port samplers at four factories annually;
- ▲ Arrange bailer at plants to take samples at four factories annually;
- ▲ Set up and stock bailers at four factories annually;
- ▲ Produce and distribution CDFR forms to factories;
- ▲ Receive, scan/enter, and proof CDFR forms;
- ▲ Produce monthly and quarterly landings reports;
- ▲ Receive, process, and age port samples;
- ▲ Process all data and summarize landings data for reporting by month, state, and year;
- ▲ Process and summarize all port samples to generate annual age comps;
- ▲ Receive and process all dependent and independent data for population indices for assessment;
- ▲ Generate model and model outputs for SEDAR (Gulf and Atlantic);
- ▲ Attend and participate in all MAC meetings, conference calls, and correspondence;

⁴ Gulf and Atlantic Menhaden Purse-Seine Fisheries, Forecast for 2013 and Review of 2012 Season, Sustainable Fisheries Branch, NMFS Beaufort, N.C., at 3 (March 2013), available at https://www.st.nmfs.noaa.gov/Assets/commercial/market-news/Menhaden_Forecast_Report_2013.pdf

⁵ Gulf States Marine Fisheries Commission, Menhaden Facts, <http://menhaden.gsmfc.org/2010%20FAQ.shtm> (last visited Jan. 18, 2014).

⁶ *Id.*

⁷ Dennis Lassuy, *Species Profiles: Life Histories and Environmental Requirements (Gulf of Mexico) Gulf Menhaden*, at 11 (Feb. 1983), available at http://www.nwr.usgs.gov/wdb/pub/species_profiles/82_11-002.pdf.

⁸ Amanda Thronson, Fifty-five Years of Fish Kills in Coastal Texas, 31 *Estuaries and Coasts* 802, 804 (2008).

⁹ See generally H. Bruce Franklin, The Most Important Fish in the Sea: Menhaden and America 58; 164 (2007).

△ Provide drafting and editorial expertise in Fishery Management Plan development and revision.¹⁰ Considering that the Gulf menhaden fishery is the second second largest fishery by volume in the United States, NOAA's efforts at the Beaufort Lab are critical in maintaining accessible information on this important fish for the public.

In its advocacy efforts related to the Gulf menhaden population, RFC has consistently depended on the Gulf menhaden data that comes from the Beaufort Laboratory. As the demand for fish protein continues to increase around the world, it is imperative that our government continue to prioritize funding the Beaufort Laboratory and its efforts related to the Gulf menhaden population, so that our community can continue to insure the longevity and sustainability of the Gulf of Mexico's "most important fish."¹¹

Sincerely,



Marianne Cufone, Esq.
Executive Director
Emily Posner, Esq.
Policy Counsel

cc:

Representative John Culberson
2352 Rayburn House Office Building
Washington, D.C. 20515

Representative Robert Aderholt
2369 Rayburn House Office Building
Washington, D.C. 20515

Representative Andy Harris
1533 Longworth House Office Building
Washington, D.C. 20515

Representative John Carter
409 Cannon House Office Building
Washington, D.C. 20515

Representative Mario Diaz-Balart
436 Cannon House Office Building
Washington, D.C. 20515

Representative Mark Amodei
222 Cannon House Office Building
Washington, D.C. 20515

Representative Hal Rogers
2406 Rayburn House Office Building
Washington, D.C. 20515

Representative Chaka Fattah
2301 Rayburn House Office Building
Washington, D.C. 20515

Representative Adam Schiff
2411 Rayburn House Office Building
Washington, D.C. 20515

Representative Mike Honda
1713 Longworth House Office Building
Washington, D.C. 20515

Representative José Serrano
2227 Rayburn House Office Building
Washington, D.C. 20515

Representative Nita Lowey
2365 Rayburn House Office Building
Washington, D.C. 20515

¹⁰ List provided on March 31, 2014 by Steve VanderKooy, the Interjurisdictional Fisheries Coordinator for the Gulf States Marine Fisheries Commission.

¹¹ See supra note 9.



Office of the Essex County Sheriff
 702 Stowersville Road, PO Box 68, New York 12950
 Phone: (518) 873-6321
Richard C. Cutting, Sheriff
Michael D. Badger, Undersheriff
<http://www.co.essex.ny.us/sheriffs/index.htm>

March 26, 2014

The Honorable Frank Wolf
 Chairman, House Subcommittee on Appropriations
 Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

Richard Cutting
 Essex County Sheriff

•Major David Reynolds, Chief Deputy •Major Thomas W. Murphy II, Jail Administrator
 •Deputy Shawn LaPier, Civil Officer •Captain Peter Feeley, Assistant Jail Administrator

Civil Office 518-873-6907

Patrol 518-873-6915
Emergency 911

Shift Supervisor 518-873-6950





**SCHENECTADY COUNTY
SHERIFF'S OFFICE**

320 VEEDER AVENUE

SCHENECTADY, NEW YORK 12307

Dominic A. Dagostino - Sheriff

Gordon R. Pollard - Undersheriff

PHONE (518) 388-4596 FAX (518) 388-4593



March 27th, 2014

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science
CI.Approp@mail.house.gov

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

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Schenectady Sheriff's Office established in 1809



**SCHENECTADY COUNTY
SHERIFF'S OFFICE**

320 VEEDER AVENUE

SCHENECTADY, NEW YORK 12307

Dominic A. Dagostino - Sheriff

Gordon R. Pollard - Undersheriff

PHONE (518) 388-4596 FAX (518) 388-4593



criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Respectfully

A handwritten signature in black ink, appearing to read "Dominic A. Dagostino".

Dominic A. Dagostino
Sheriff

From:

SJ Davis, a concerned citizen of North Carolina
4640 Carmel Vista Lane
Charlotte, NC 28226

To Whom It May Concern,

Please do not close NOAA's Beaufort Laboratory. This would be a tremendous loss to North Carolina, the Mid-Atlantic area and the economy of coastal North Carolina. The NOAA lab creates a synergy of commerce for the Mid-Atlantic area. Marine science labs of major universities work in conjunction with the Beaufort NOAA lab. Scientists involved in NOAA attract students and other scientists from the world over to study ocean issues and to figure out how to solve myriad ocean problems.

In recent years, NOAA has invested approximately \$14 million in new construction and renovations at the Beaufort Laboratory.

An updated engineering report (2014) documents that the condition of the facility is NOT structurally unsound. There have been substantial improvements to the facility.

Facilities Upgrades

2006 \$7 M Administration Building replaced (NC NERRs contributed \$1M)
2007 \$2.1 M Bridge replaced – cost shared with Duke University
2008 \$0.86M Maintenance Building replaced
2009 \$0.5M Air conditioning / Air handler replacement and mold abatement
2009 \$1.0M Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
2014 \$1.65M Seawall repair, electrical upgrade and State of NC funded storm water control.

Current Staffing at NOAA's Beaufort Laboratory

71 Full time federal staff members,
40 National Marine Fisheries staff,
31 National Ocean Service staff
33 Contract positions and 8 NC NEERs staff

It is ironic the budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address many of those very same issues.

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work

performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA.

FRANK P. DENNING
SHERIFF

TELEPHONE
913-715-5502

FAX
913-715-5806



DUTY HONOR SERVICE

588 E. SANTA FE
OLATHE, KANSAS 66061
WWW.JOCOSHERIFF.ORG

KEVIN D. CAVANAUGH
UNDERSHERIFF

March 27, 2014

The Honorable Barbara Mikulski
Chairman, Senate Subcommittee on Appropriations
Commerce-Justice-State-Science
CJS@appro.senate.gov

AND

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

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The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended, the federal government must provide funding

Page 2 of 2

for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Denning". The signature is written in a cursive, flowing style with a large, prominent "F" and a long, sweeping underline.

Frank E. Denning, Sheriff

Doug DeVries, PhD.
 Research Fisheries Biologist
 NOAA/NMFS/Southeast Fisheries Science Center
 Panama City Laboratory, Panama City, Florida

March 31, 2014

Dear Members of the Subcommittee on Commerce, Justice, Science, and Related Agencies,

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity.

I am writing specifically to urge the proposed closure of NOAA's Beaufort Laboratory, located in Beaufort, North Carolina, be removed from the NOS budget. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR). There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. In the past several years, about \$14 million has been spent to upgrade and maintain the facility in good working condition, including replacement of the administration and maintenance buildings and the bridge to the facility, seawall repair, electrical upgrades, and improvements to the air conditioning. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

The National Ocean Service initiating the closure request understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 6 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co-located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. This lab is a vital part of the local, national and international marine science community and provides important research and information to the people of this nation for sustaining fisheries and coastal ecosystems of the Mid- and South-Atlantic, and the U.S territories in the Caribbean Sea. Moreover, research being conducted at this facility directly serves 8 of the 10 objectives of the U.S. National Ocean Policy. The NOAA Beaufort Laboratory is in a prime location and provides the only federal access to the most diverse marine ecosystem in the United States...this is the reason the site was selected in 1899. These ecological communities are representative of the entire East and Gulf coasts of the U.S. and include the northern range of southern species and the southern range of northern species. There is ***no other location*** where these opportunities can be accessed as **easily** or as **cheaply**.

The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper monitoring and ecology. NOAA has

repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab's presence, including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

The stock assessment science of the NOAA Beaufort Laboratory determines how many fish can be caught in the southeast United States and focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life; and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects critical information for stock assessment - information essential for determining whether economically-important reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co-location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

It is critical that a NOAA lab of this strength continues in this location given the imperative to understanding fisheries management, coastal ecosystem management, climate impacts, coastal pollution, and harmful algal bloom issues in the mid and south Atlantic regions. Closing the Beaufort lab would leave a NMFS "facilities-based-gap" from Sandy Hook, NJ to Miami, FL. This fact alone reveals the shortsightedness of the President's proposal. I hope the committee carefully considers this testimony and the testimonies of others that voice similar opinions against the President's proposal to close the Beaufort NOAA Laboratory.

Thank you for your time and consideration.

Sincerely,

Doug DeVries

(850) 769-9291, (850) 381-7674, pagrus2@gmail.com

NC STATE

303 College Circle
Morehead City, NC 28557
252.222.6300
252.222.6303 fax

March 28 2014

Dr. David B. Eggleston
Professor & Director
Center for Marine Sciences &
Technology
NC State University
Morehead City, NC 28557

House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

I want to express my strong opposition to the President's FY 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, and urge the sub-committee to help reinstate funding for this essential resource. This lab is a vital part of the local, national, and international marine science community and provides important research and information for sustaining fisheries and coastal ecosystems of the Mid- and South-Atlantic, and to U.S territories in the Caribbean Sea to the people of this nation. Moreover, research being conducted at this facility directly serves 8 of the 10 objectives of the U.S. National Ocean Policy.

The NOAA Beaufort Laboratory is a prime location and provides the only federal access to the most diverse marine ecosystem in the United States...this is the reason the site was selected in 1899. These ecological communities are representative of the entire East and Gulf coasts of the U.S. and include the northern range of southern species and the southern range of northern species. There is **no other location** where these opportunities can be accessed as **easily** or as **cost-effectively**. Moreover, the NOAA Beaufort Laboratory has 108 employees, including a number of nationally and internationally known scientists from both NOAA NOS and NMFS that provide essential support to national marine environmental issues, including researching invasive species like the lionfish, forecasting ecological conditions on coral reefs, monitoring coastal habitats like sea grass meadows and investigating harmful algal blooms, and cutting-edge research on aquaculture. The laboratory also plays a critical role in oil spill recovery efforts and the restoration of affected shorelines and marshes, and their research in the Mid- and South-Atlantic is critical to proper siting of future coastal oil and gas exploration, and wind farms.

The facility is also the centerpiece of many local, regional and international collaborations fostered by the NOAA lab over the past 100 years. These partnerships include academic institutions such as NC State University, UNC-Chapel Hill, Duke University, East Carolina University and UNC-Wilmington, as well as partnerships with economic development activities such as the NC Marine Science and Education Partnership, NC Biotechnology Center, and Marine Biotechnology Center of Innovation. Additional partnerships include the NC Coastal Federation, NC Sea Grant Program, and

National Estuarine Research Reserve Program, the latter of which is based at the NOAA Beaufort Laboratory. NC State University in particular has long and productive history of providing graduate training to NOAA staff, and numerous graduates of NC State University serve in key roles conducting research and managing programs at the NOAA Beaufort Lab.

There are several examples of research ongoing at the NOAA Beaufort Lab which address goals of the U.S. Ocean National Policy. First, NOAA would not have the strength it currently has for forecasting harmful algal blooms (HABs) if it were not for the Beaufort Lab's pioneering, award-winning and sustained efforts on HABs. NOAA's ownership of HABs stems from the work initiated in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs. Second, the Beaufort Laboratory's staff initiated the first study of the invasive lionfish in the US South Atlantic Bight, providing timely information on distribution, abundance and ecology to inform mitigation and management strategies throughout the SE US, Florida Keys, Gulf of Mexico and the Caribbean. Third, research by NMFS scientists based at NOAA Beaufort has led to successful management and recovery of important snapper and grouper fishery stocks. All of this work is possible because of the lab's proximity to key sectors of the U.S. EEZ and history of collaboration and partnership.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at this unique location. Moreover, it would be counterproductive to close down this lab when it is already implementing your vision for a National Ocean Policy by utilizing an ecosystem-based approach to produce the best science and data that strengthens regional efforts through collaboration. I therefore urge you to please restore funding for this important federal laboratory.

Sincerely,



David Eggleston, Professor & Director
(252) 222-6301 (o), (252) 222-6303 (Fax)
eggleston@ncsu.edu

cc: Representatives G. K. Butterfield, R. Elmers, G. Holdin, W. Jones, & D. Price

TESTIMONY OF
OLIVIA EUDALY
ON BEHALF OF
BIG BROTHERS BIG SISTERS OF AMERICA
450 EAST JOHN CARPENTER FREEWAY
IRVING, TX 75062

BEFORE

THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES
MARCH 31, 2014

H-309 U.S. CAPITOL

Mr. Chairman and Ranking Member Fattah, I thank you and the Subcommittee for the opportunity to submit testimony on behalf of Big Brothers Big Sisters in support of Fiscal Year 2015 funding for the Office of Juvenile Justice & Delinquency Prevention's (OJJDP) Youth Mentoring Grant (YMG) program and the Office Justice Programs' (OJP) Children of Incarcerated Parents (COIP) Demonstrations projects. On behalf of the more than 400,000 Bigs and Littles our network of 340 local affiliates, Big Brothers Big Sisters respectfully requests Subcommittee allocates \$100 million for the YMG program, and \$4 million for COIP projects in FY2015.

Big Brothers Big Sisters is the nation's oldest and largest volunteer one-to-one mentoring program. Using evidence-based practices in a scalable model across all 50 states, our mission is to help children reach their potential through professionally supported, one-to-one mentoring relationships with measurable impact. We are a grassroots organization serving thousands of communities throughout the country. We began over a century ago providing services to at-risk youth in need of additional support and guidance, and last year as a national network we served over 200,000 children and youth in one-to-one mentoring relationships.

Although juvenile arrest rates and crimes continue to progress in generally positive downward trend, we know there is still a tremendous amount of work yet to do. In a report published in December, 2013 by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), it was found that the U.S. arrested more than 1.5 million youths under age 18 in 2011.¹ Additional statistics from the OJJDP report include:

- Juvenile arrests disproportionately involved minorities;
 - The racial composition of the U.S. juvenile population ages 10–17 in 2011 was 76% white, 17% black, 5% Asian/Pacific Islander, and 2% American Indian. Most juveniles of Hispanic ethnicity were included in the white racial category;
- 190,900 youth were arrested for simple assaults;
- 148,700 youth were arrested for drug abuse violations;
- 139,200 youth were arrested for disorderly conduct;
- Youth younger than age 15 accounted for more than half (57%) of all juvenile arrests for arson in 2011 and nearly 40% of juvenile arrests for simple assault, vandalism, and disorderly conduct.

¹ Puzzanchera, C. (December, 2013). Juvenile Offenders & Victims: National Report Series. Washington, DC, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, available at: <http://www.ojjdp.gov/pubs/244476.pdf>

In 2009, the American Correctional Association found that the average annual cost of incarcerating a youth in a juvenile facility is \$88,000 a year². In many states, the single highest budget expense behind Medicaid is Department of Corrections spending. After decades of “tough on crime” and mandatory minimum sentencing policies, the United States now has the highest rate of incarceration of any developed nation in the world. Nearly 1 in every 100 citizens is currently incarcerated and a staggering 1 in every 31 adults is under some form of correctional control³.

Additionally, it is estimated that 1.75 million children under 18 years old have at least one parent currently in prison in the United States, and millions more have a parent currently in jail.⁴ This equates to approximately 810,000 incarcerated parents, including a disproportionate number from racial minority backgrounds. According to the Urban Institute, there are more children with an incarcerated parent in the United States today than are diagnosed with autism or juvenile diabetes. Furthermore, minority communities experience extremely disproportionate contact with the justice and corrections systems – recent 2013 estimates conclude that as many as 1 in 15 black children in the U.S. have a parent currently in prison.⁵

The current rate of incarceration is not fiscally or socially sustainable. Programs such as the Youth Mentoring Grants and the Children of Incarcerated Parents Demonstration Grants allow national and local nonprofits, in partnership with state and local units of governments, to develop and bring to scale diversion, preventative, and reintegration mentoring services for at-risk youth. OJJDP defines “at-risk youth” as youth exposed to high levels of risk in their families, homes, communities, and social environments to such a degree that it could lead to educational failure, dropping out of school, or juvenile delinquency. The Subcommittee and Department of Justice’s investment in Youth Mentoring Grants will divert at-risk and high-risk youth away from the criminal justice system. Investing in youth mentoring could be considered insignificant when compared to the alternative downstream costs of arrest, prosecution and incarceration.

Decades of research have repeatedly demonstrated the adolescent children have a set of needs specific to their stage development. According to the 2012 study, “Reforming Juvenile Justice: A Developmental Approach” conducted by the National Research Council of the National

² *Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense*, American Correctional Association as reported by the Justice Policy institute, May 2009, page 4, http://www.justicepolicy.org/images/upload/09_05_REP_CostsOfConfinement_JJ_PS.pdf

³ http://www.pewcenteronthestates.org/uploadedFiles/PSPP_in31_report_FINAL_WEB_3-26-09.pdf

⁴ Maruschak, L.M., Glaze, L.E., and Mumola, C.J. 2010. Incarcerated parents and their children: Findings from the Bureau of Justice Statistics. In J.M. Eddy and J. Poehlmann (Eds.), *Children of incarcerated parents: A handbook for researchers and practitioners* (pp. 33–54). Washington, DC: Urban Institute Press.

⁵ Maruschak, L.M., Glaze, L.E., and Mumola, C.J. 2010. Incarcerated parents and their children: Findings from the Bureau of Justice Statistics. In J.M. Eddy and J. Poehlmann (Eds.), *Children of incarcerated parents: A handbook for researchers and practitioners* (pp. 33–54). Washington, DC: Urban Institute Press

Academies, adolescent youth live in a unique development period with significant differences in behavior than that of adults, including:

1. Adolescents have less capacity for self-regulation in emotionally charged contexts;
2. Adolescents have a heightened sensitivity to proximal external influences, such as peer pressure and immediate incentives, relative to children and adults;
3. Adolescents show less ability than adults to make judgments and decisions that require future orientation.⁶

Big Brothers Big Sisters program provides a responsible, caring adult to help guide youth through this difficult transition period to adulthood. BBBS' unique model utilizes the latest best-practices and incorporates a rigorous metrics system to evaluate outcomes for youth. There is significant evidence demonstrating that the presence of a Big Brother or Big Sister in the life of an at-risk youth can prevent or reduce the likelihood of delinquent behavior and victimization among juveniles. According to 1995 Public/Private Ventures' (P/PV) landmark impact study⁷, children who are matched with a Big Brother or Big Sister were:

- 46% less likely to begin using illegal drugs
- 27% less likely to begin using alcohol
- 52% less likely to skip school
- 37% less likely to skip a class
- more confident of their performance in schoolwork
- less likely to hit someone
- getting along better with their families

Furthermore, minority children who were mentored by a Big Brother or a Big Sister experienced an even more significant impact as they were 70% less likely to begin using illegal drugs and alcohol than their (non-mentored) counterparts.

While the costs of incarceration continue to burden state and local governments, Big Brothers Big Sisters' professional supported, independently validated, one-to-one mentoring models can be operated for a full year at an average of \$1,220 per child. Additionally, funds appropriated for youth mentoring are used to leverage hundreds of millions in private and foundation donations, whereas States must bear the entire cost of incarcerating a juvenile.

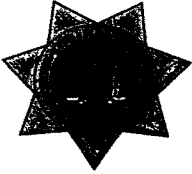
⁶ National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. Committee on Assessing Juvenile Justice Reform, Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, Eds. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education, Washington, DC: The National Academies Press.

⁷ Tierney, J.P., Grossman, J.B., and Resch, N.L. (1995) Making a Difference: An Impact Study of Big Brothers Big Sisters. Philadelphia: Public/Private Ventures

Intuitively we know that children with less drug or alcohol use, less truancy, better academic performance and strong family lives are less likely to be involved in the criminal justice system. However, Big Brothers Big Sisters is also relentless in our drive to develop hard data resources. Our research team is working with numerous foundations and philanthropic business enterprises to expand and improve the research base on which we build our mentoring programs. Big Brothers Big Sisters strives to be on the cutting edge of youth mentoring research, and to implement validated, innovative interventions. The Youth Mentoring Grants program has helped support BBBS' efforts to remain true to the core of our proven, century-old mentoring model, while simultaneously developing and incorporating components that are culturally responsive to the emerging needs of today's youth.

Big Brothers Big Sisters envisions building upon its successful experience in the juvenile justice and children of incarcerated parents arenas over the next several years. We strive to become both a preferred alternative to youth incarceration, as well as a critical prevention-based partner to the exceptionally vulnerable youth with incarcerated caretakers. The Big Brothers Big Sisters network will need to continue to develop innovation, trainings, research, partnerships and models to accomplish these ambitious, but achievable, goals.

In closing, while acknowledging the fiscal realities of the federal budget, Big Brothers Big Sisters of America respectfully encourages the utmost support for the Youth Mentoring Grants and Child of Incarcerated Parents programs in FY2015. We urge the Subcommittee to view the Youth Mentoring Grants and Children of Incarcerated Parents programs as small investments with big dividends. No one achieves success in life purely on their own – nearly everyone can point to a friend, teacher, coach, parent, or colleague, and say, “he/she helped me to become the person I am today”. Unfortunately, not every child has the luxury of an attentive, caring, and responsible grow-up who believes in them. Big Brothers Big Sisters, in cooperation with the Department of Justice's Youth Mentoring Grant program, places that caring adult presence into the lives of the most disadvantaged children in America. The children we mentor today are the future parents of our nation's grandchildren. The lessons we teach our youth will be passed down for generations to come. If we are to be serious about the long-term fiscal and social success of our country, we need to ensure the success of our most at-risk youth today.



LOUIS FALCO III
SHERIFF

MARY BARBERA
UNDERSHERIFF

OFFICE OF THE SHERIFF COUNTY OF ROCKLAND

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ROBERT VANCURA
UNDERSHERIFF

MATTHEW BYRNE, ESQ
COUNSEL TO THE SHERIFF

March 28, 2014

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science

Honorable Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,


Louis Falco III
Sheriff





FASEB

Federation of American Societies
for Experimental Biology

Representing Over 115,000 Researchers

301.634.7000
www.faseb.org

9650 Rockville Pike
Bethesda, MD 20814

March 31, 2014
Contact: Meghan McCabe
Legislative Affairs Analyst
mmccabc@faseb.org

Testimony of the
Federation of American Societies for Experimental Biology
On
FY 2015 Appropriations for the National Science Foundation
Submitted to the
House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
Representative Frank Wolf, Chairman
Representative Chaka Fattah, Ranking Member

The Federation of American Societies for Experimental Biology (FASEB) respectfully requests a fiscal year (FY) 2015 appropriation of a minimum of \$7.6 billion for the National Science Foundation (NSF). This demonstrates commitment to the critical mission of the agency and is an important first step in returning to a model of sustainable growth.

The American Physiological Society • American Society for Biochemistry and Molecular Biology • American Society for Pharmacology and Experimental Therapeutics
American Society for Investigative Pathology • American Society for Nutrition • The American Association of Immunologists • American Association of Anatomists
The Protein Society • Society for Developmental Biology • American Peptide Society • Association of Biomolecular Resource Facilities
The American Society for Bone and Mineral Research • American Society for Clinical Investigation • Society for the Study of Reproduction • The Teratology Society
The Endocrine Society • The American Society of Human Genetics • International Society for Computational Biology • American College of Sports Medicine
Biomedical Engineering Society • Genetics Society of America • American Federation for Medical Research • The Histochemical Society • Society for Pediatric Research
Society for Glycobiology • Association for Molecular Pathology

FASEB, a federation of 26 scientific societies, represents more than 115,000 life scientists and engineers, making it the largest coalition of biomedical research associations in the United States. Our mission is to advance health and welfare by promoting progress and education in biological and biomedical sciences.

Progress in science and technology is becoming increasingly interdisciplinary, as discoveries in one field fuel progress in another. NSF is the only federal research agency dedicated to advancing all fields of fundamental science and engineering. As a result, the broad research portfolio of NSF is critical for our nation's capacity for innovation and essential for our prosperity, quality of life, and national security.

The NSF Graduate Research Fellowship Program awards approximately 2,500 three-year fellowships annually to outstanding graduate students pursuing advanced degrees in science, technology, engineering, or mathematics. These fellowships support the education and training of the next generation of researchers, ensuring a robust and competitive workforce. NSF graduate research fellows have become leaders in the scientific community.

Of the U.S. Nobel Laureates in the sciences, 200 received NSF funding over the course of their careers, including the 2013 prize winners in Physiology or Medicine, Chemistry, and Economics.

Recent examples of NSF-funded research include:

- *Harnessing More Solar Energy*: Researchers have developed a new material for solar panels that is cheaper, more efficient, and can harness energy from visible and infrared light, unlike previous materials that could only use ultraviolet light. The new material, developed by NSF-funded researchers, increases efficiency by absorbing and converting six times the energy of its predecessors. Researchers are currently scaling up the prototype to a full size solar panel for implementation on the national power grid.
- *New Microscope Detects the Movement of Atoms*: NSF-funded researchers have developed a new electron microscope that can detect the movement of atoms and molecules. The cutting-edge technology allows users to observe the fundamental transformations of matter: chemical reactions and the electric charges of interacting atoms. The new microscope has immediate applications in the clean energy industry, development of nanotechnology, and countless other scientific endeavors.
- *Preventing Post-operative Infections*: Infection at the surgical site is one of the most common types of post-operative complications, which lengthens hospital stays and increases healthcare costs. Scientists with NSF support have developed a new antibiotic coating for surgical sutures. Lab tests have shown that the new coating is 1,000 times more effective at preventing infection than previous coatings, and even prevents the

spread of *staphylococcus aureus*, the variety of “staph” that frequently causes virulent post-surgical infections.

- *New Storm Radar Saves Lives*: Researchers supported by NSF are building an advanced radar network to detect severe storms earlier. Using novel algorithms, the network can generate information faster and with more geographic specificity, enabling first responders to take action before a storm hits. Researchers are currently testing the system in southwestern Oklahoma and Dallas/Ft. Worth, Texas. Once it is broadly implemented, the system will reduce injuries, enable first responders to be more effective, and save lives.
- *Preserving Bat Colonies to Protect the Ecosystem*: Agricultural pests cost the U.S. farm industry over \$1 billion per year in lost crop yield and additional cost of pesticide use. NSF-funded researchers studied bat colonies in the cotton and corn growing region of southern Texas and found that bats are valuable to farmers because they consume insects that destroy crops, reducing the need to use pesticides. Protecting bat colonies in crop-growing regions will both decrease pesticide cost to farmers and reduce the presence of chemicals on food people eat.

Maintaining Global Leadership

Scientific and technological advances keep our nation internationally competitive by spurring the innovations that fuel economic growth. NSF’s broad portfolio of fundamental research expands the frontiers of knowledge, opening the way to these innovations. Through its education initiatives, NSF ensures that the U.S. will continue to have an unrivaled scientific and engineering workforce.

NSF-funded research leads to major scientific breakthroughs, many of which provide the basic knowledge that stimulates innovation in the private sector. We must build on prior NSF investment and provide an adequate funding level to advance discovery, educate the next generation of scientists and engineers, and retain our position as the global leader in innovation. **In FY 2015, FASEB recommends a minimum of \$7.6 billion for the NSF. This is the level that the America COMPETES Act authorized for the agency for 2011 and is an important first step in returning to a model of sustainable growth.**

Thank you for the opportunity to offer FASEB’s support and recommendations for the NSF.

March 29, 2014

John Fieberg, PhD
 Assistant Professor of Quantitative Ecology
 Department of Fisheries, Wildlife, Conservation Biology
 University of Minnesota
 Phone: 612-301-7132

Dear Members of the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies:

I recently became aware of NOAA's National Ocean Service's (NOS) request to close the Beaufort Laboratory. Having collaborated with scientists at the Beaufort lab, I am well aware of the many ways the laboratory's staff contribute to NOAA's mission: they provide state-of-the-art fishery stock assessments that help to determine how many fish can be sustainably caught in the southeast United States, they conduct fishery-independent surveys to collect the data necessary for conducting informative stock assessments, and they conduct cutting edge research aimed at improving the way we 'do' science in support of fisheries management. In short, closing the Beaufort lab would be a significant loss, not only for the 100-110 staff employed by the lab, but also the fishing and marine science communities that benefit from their work. Thus, I am writing to request that NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request be removed from the NOS budget.

The recommendation to close the laboratory was largely driven by financial considerations related to the long-term cost of maintaining the infrastructure at the laboratory. Unfortunately, this decision was based on inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory. Several recent investments in new construction and renovations, totaling approximately \$14 million dollars, were not properly considered when making the recommendation. Recent facility improvements include:

2006—Administration Building replaced (with NC NERRs)
 2007—Bridge replaced – cost shared with Duke University
 2008—Maintenance Building replaced
 2009—Air conditioning/Air handler replacement and mold abatement
 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
 2014—Seawall repair, electrical upgrade and State of NC funded storm water control

In addition, the NOS request underestimated the staff that would be impacted by the closure by not including the more than 40 National Marine Fisheries Service staff and staff members of the North Carolina National Estuarine Research Reserve co-located at the facility.

It is surprising that the request for closure comes at a time when the National Ocean Service is requesting an increase of \$4 million in funding for another center to support Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia, pathogens and Species Distributions (see budget summary, page 8, paragraph 1). The Beaufort Laboratory has both the expertise and

facilities required to address these issues. Researchers and research teams at the Beaufort Laboratory have repeatedly been recognized for their work. Further, the laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA.

In summary, the closing of the Beaufort Laboratory does not make economic sense, given the recent investments in facility infrastructure and the need to address emerging marine issues identified by the National Ocean Service. More importantly, closing the laboratory would have significant negative consequences for the 100-110 staff employed by the lab and also the large fishing and marine science communities that rely on the outstanding quality of work of the lab and its members.

Sincerely,

John Fieberg, PhD

Sarah A. Finn
 Biologist, Stranding Coordinator NC Sea Turtle Program
 NC Wildlife Resources Commission

30 March 2014

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations,

I am deeply concerned about the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory located in Beaufort, North Carolina. This lab is part of the National Oceanic and Atmospheric Administration; it is administered by the National Ocean Service (NOS), but also houses the National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS). Although I am writing this letter as a private citizen, and the views expressed are not intended to represent those of any government agency, in my position I work and collaborate closely with several researchers at the NOAA Beaufort Lab and therefore have firsthand knowledge regarding the value of this laboratory. The NOAA Beaufort Lab has irreplaceable value to the Nation through its contributions toward marine science, natural resource management, and public outreach. The proposal to close this laboratory is a short-sighted reaction to a short-term problem.

The closure of NOAA's Beaufort Laboratory proposed in the 2015 President's Budget Request should not be included the NOS budget. Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and cutting edge ageing research on threatened and endangered sea turtle species; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; sea grass; pathogens; and snapper and grouper monitoring and ecology. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. Furthermore, **this lab is the originator and centerpiece of an internationally esteemed consortium of marine science institutions**, including the marine laboratories of Duke University, NC State University, the University of North Carolina, and the North Carolina Division of Marine Fisheries. Beaufort was chosen because it is a prime location where northern and southern marine ecological communities intersect, and as such this lab provides the **only** Federal access to the **most diverse marine ecosystem in the United States**. There is **no other location** where these opportunities can be accessed as **easily** or as **cheaply**. It is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline.

The request to close the laboratory was based on current funding allocation, but inaccurate and outdated information that overstated the costs of maintaining the facility was used in the analysis that led to this request. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account at all for employees from NMFS or NERRS. In effect, **this mistake excluded more than half the staff** of the lab. Furthermore, the request was based on **estimated costs** for the lab's upkeep and maintenance that **were in error**. Since 2006, several

activities **have been completed** to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building, replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. After such sound investments, closing the lab now would represent **a conspicuous waste of tax-payers' money**. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is **NOT structurally unsound**. Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

I highlight below, by line office, the critical role that the NOAA Beaufort Laboratory has played in helping NOAA achieve its Strategic Mission 1) to understand and predict changes in climate, weather, oceans, and coasts, 2) to share that knowledge and information with others, and 3) to conserve and manage coastal and marine ecosystems and resources.

NOS:

While the National Ocean Service is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4 million to another center to support **Ecological Forecasting of Harmful Algal Blooms (HABs), Hypoxia**, pathogens, and **Species Distributions**. These areas of research are the bread and butter of NOS at the Beaufort Lab. In fact, NOAA would not have the strength it currently has in forecasting HABs if it were not for the lab's seminal and award-winning work that has been ongoing **from the 1980s to this day**. Furthermore, the Beaufort Lab initiated the first-ever study of the invasive lionfish in the US South Atlantic, and it has continued to play a pivotal role in monitoring the distribution and abundance of this invasion throughout the South Atlantic, Gulf of Mexico, and Caribbean, providing information that has been critical for mitigation and management strategies. It is ironic and perplexing that the FY2015 President's budget requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management while at the same time proposing to close an existing facility **that already has both well-established expertise and facilities required to address many of those very same issues**.

NMFS:

The Beaufort Laboratory provides the stock assessment science that allows NOAA to fulfill its obligation toward the **Magnuson-Stevens Fishery Conservation and Management Act**, as mandated by Congress. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Atlantic menhaden support the largest fishery on the US Atlantic coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico. To enable robust stock assessments, sampling of the Atlantic and Gulf menhaden fisheries has been conducted by the Beaufort Lab for decades, and monitoring of snapper-grouper species has been accomplished by the lab's Southeast Fishery-Independent Survey. Removing this sampling and monitoring from the Beaufort Lab

would not only result in a **significant disconnect between NOAA and the communities** that it serves, but would also **degrade the quality of stock assessments** at a time when Congress is rightly calling for improvements.

NERRS:

NERRS is partnered with the N.C. Coastal Reserve, with program headquarters at the NOAA Beaufort Lab. This program supports **long-term research, water-quality monitoring, education, and coastal stewardship**. In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." With this funding, NOAA invested \$1.28 million and the state of NC invested \$42,000 for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission. The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities. The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve, and this close proximity is essential for performing Reserve activities efficiently to conduct mission-critical work, including educational programs, water quality and habitat monitoring, research programs, and stewardship of the site, which involves species monitoring, debris clean-ups, feral horse management, and access point maintenance. In short, **NERRS activities** in education, training, and stewardship have been **extensive**, and they would **not be feasible from any other federal laboratory**.

In conclusion, closure of the NOAA Beaufort Laboratory would be devastating scientifically and economically. It would cripple NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on flawed estimates of maintenance costs and an outdated engineering report, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing the lab would be trivial; however the loss to the nation would be monumental.

Sincerely,

Sarah A. Finn
211 Florence Avenue
Carolina Beach, NC 28428

March 29, 2014

Dr. Gary R. Fitzhugh
Research Fishery Biologist
NOAA, National Marine Fisheries Service
Panama City, Florida

Dear Committee Members,

Acting as a private citizen on my own time, I would like to submit testimony for the record.

I was recently informed that the President's FY15 budget proposal includes plans to close the NOAA Beaufort Laboratory located in Beaufort, NC. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses 108 employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the budget. The proposed closure is based upon costs and upkeep concerns but I understand that the cost estimates may be in error. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. I also understand that an updated engineering report (2014) indicates that the facility is not structurally unsound.

I believe closing the NOAA Beaufort Lab would be a terrible mistake. The Beaufort Lab conducts critical research that addresses priorities of the U.S. Ocean National Policy including key areas such as population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper monitoring and ecology. The lab dates back to 1899 and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

Several university and agency marine labs and facilities have located in the Beaufort/Morehead area because the NOAA lab is there, including Duke Marine Lab, North Carolina Division of Marine Fisheries, North Carolina State University (CMAS), and the University of North Carolina (Institute of Marine Science). One of NOAA's strengths is to capitalize on the partnerships that create scientific synergy in the Beaufort area. I would say there are few places elsewhere in the world that is the center of such expertise and quality of work in the marine sciences. Since many employees would most likely not transfer to other federal positions if the Beaufort Lab were to close, NOAA would lose some of its most important scientific staff in the SE region. The Beaufort Lab is too important in conducting marine research and advancing U.S. Ocean Policy; this lab simply must not be shut down.

Thank you for your time and consideration,
Gary R. Fitzhugh



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**Outside Witness Testimony from:
Society for Industrial and Applied Mathematics (SIAM)**

**Submitted by: Dr. Irene Fonseca
President, Society for Industrial and Applied Mathematics (SIAM)
&
Dr. C. David Levermore, Vice President for Science Policy, SIAM**

**Submitted to the Subcommittee on Commerce, Justice and Science
Committee on Appropriations,
United States House of Representatives
Washington, DC**

**Testimony on the Fiscal Year 2015 Appropriations
for the National Science Foundation**

March 31, 2014

Summary: This written testimony is submitted on behalf of the Society for Industrial and Applied Mathematics (SIAM) to ask you to continue your support of the National Science Foundation (NSF) in fiscal year (FY) 2015 by providing NSF with \$7.5 billion. In particular, we urge you to provide strong support for key applied mathematics and computational science programs in the Division of Mathematical Sciences and the Division of Advanced Cyberinfrastructure.

Full Statement:

We are submitting this written testimony for the record to the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the U.S. Senate on behalf of the Society for Industrial and Applied Mathematics (SIAM).

SIAM has approximately 14,000 members, including applied and computational mathematicians, computer scientists, numerical analysts, engineers, statisticians, and mathematics educators. They work in industrial and service organizations, universities, colleges, and government agencies and laboratories all over the world. In addition, SIAM has almost 500 institutional members, including colleges, universities, corporations, and research organizations.



Northwest Indian Fisheries Commission

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**WRITTEN TESTIMONY OF BILLY FRANK, JR., CHAIRMAN
 NORTHWEST INDIAN FISHERIES COMMISSION
 BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON
 COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES
 ON THE FISCAL YEAR 2015 BUDGET FOR THE
 NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION**

March 31, 2014

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide testimony on the National Oceanic and Atmospheric Administration Fiscal Year 2015 (FY15) appropriations. My name is Billy Frank, Jr. and I am the Chairman of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is comprised of the twenty tribes that are party to the *United States v. Washington*¹ (*U.S. v. Washington*). We are providing testimony for the record in support of funding for the National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS) and National Ocean Service (NOS), which identifies four specific funding requests.

SUMMARY OF FY15 APPROPRIATIONS REQUESTS

- ❑ **\$110 million for the Pacific Coastal Salmon Recovery Fund (NOAA/NMFS)**
- ❑ **\$14.7 million for the Pacific Salmon Treaty, including the Additional \$3.0 million for the 2008 Chinook Salmon Agreement (NOAA/NMFS)**
- ❑ **\$15.9 million for the Mitchell Act Hatchery Program (NOAA/NMFS)**
- ❑ **\$20 million for the Regional Ocean Partnership Grants Program (NOAA/NOS)**

The NWIFC also supports the budget priorities and funding requests of the National Congress of American Indians.

We are generally pleased with the President's FY15 Budget Request as it establishes a good starting point. However, it's just that – a starting point – much more needs to be done. It promotes a strong stewardship in sustaining our vital natural resources. The natural resources that we depend on are vital to our tribal communities, economies and jobs. The President's budget provides for economic growth by paying for new investments while protecting the environment. Our economy depends on a healthy natural environment. The land and the many natural resources we depend on are a necessity for our communities to thrive. We need to continue to improve the condition of our changing environment for the benefit of future generations.

¹ *United States v. Washington*, Boldt Decision (1974) reaffirmed Western Washington Tribes' treaty fishing rights.

The western Washington treaty tribes brought to the federal government our Treaty Rights at Risk (TRAR) initiative almost three years ago. We are slowly creating change in the manner in which government agencies operate but it has not yet been enough to change the trajectory of salmon recovery in our region from a negative to a positive direction. In this initiative we asked the federal government to take charge of salmon recovery because it has the obligation and authority to ensure both the recovery of salmon and the protection of tribal treaty rights. We requested that the federal government implement their fiduciary duties by better protecting salmon habitat and the tribes' treaty-reserved resources. The treaty-reserved right of the western Washington treaty tribes to harvest salmon is at risk. The danger exists due to diminishing salmon populations, which limits or eliminates our right to harvest. All of this is due to the inability to restore salmon habitat faster than it is being destroyed. Wild salmon and their habitat continue to decline despite massive reductions in harvest and a significant investment in habitat restoration. We have all made a huge investment in the recovery of salmon and their habitat. These good investments must continue and will contribute to recovery as we work to slow down the continued loss of habitat. Fulfilling these federal obligations is not an option and by addressing our TRAR – we will recover the salmon populations.

Salmon has always been the foundation of tribal cultures, traditions and economies in western Washington. When our tribal ancestors signed treaties, ceding millions of acres of land to the United States government, they reserved fishing, hunting and gathering rights in all traditional areas. These constitutionally-protected treaties, the federal trust responsibility and extensive case law, including the *U.S. v. Washington* decision, all support the role of tribes as natural resource managers, both on and off reservation. In Washington State, these provisions have developed into a successful co-management partnership between the federal, state and tribal governments. This collaboration has helped us to deal with many problems, but still requires additional support to meet the many new challenges like air and water pollution, water quality and quantity, and climate change.

The tribes are strategically located in each of the major watersheds, and no other group of people is more knowledgeable about the natural resources. Western Washington tribes are leaders in protecting and sustaining our natural resources. The tribes possess the legal authority and the technical and policy expertise to effectively manage programs to confront the challenges that face our region and the nation. Tribes seize every opportunity to coordinate with other governments and non-governmental entities to avoid duplication, maximize positive impacts, and emphasize the application of ecosystem-based management. As sovereign nations, we continue to participate in resource recovery and habitat restoration with the state of Washington and the federal government because we understand the great value of such cooperation.

Restoring salmon habitat is dependent on adequate funding. A critical funding source for this work is the Pacific Coastal Salmon Recovery Fund (PCSRF). The PCSRF assists tribes in the implementation of salmon recovery plans and moves us in the direction of achieving the recovery goals, which is a direct request in our TRAR initiative. As Congress considers the FY15 budget, we ask you to consider our requests that are further described below.

JUSTIFICATION OF REQUESTS

- **Provide \$110.0 million for NOAA Pacific Coastal Salmon Recovery Fund**

We support the restoration of the PCSRF in FY 2015 to the \$110.0 million level, an increase of \$60.0 million over the President's request. These funds have decreased from the peak of \$110.0 million in FY02. We continue to support the original Congressional intent of these funds that would enable the federal government to fulfill its obligations to salmon recovery and the treaty fishing rights of the tribes.

The PCSRF is a multi-state, multi-tribe program established by Congress in FY 2000 with a primary goal to help recover wild salmon throughout the Pacific coast region. The PCSRF supports projects that restore, conserve and protect Pacific salmon and steelhead and their habitats. PCSRF is making a significant contribution to the recovery of wild salmon throughout the region by financially supporting and leveraging local and regional efforts. Salmon restoration projects not only benefits fish populations and their habitat but provides much needed jobs for the local communities.

The tribes' overall goal in the PCSRF program is to restore wild salmon populations. The key tribal objective is to protect and restore important habitat in Puget Sound and along the Washington coast that is essential for western Washington tribes to exercise their treaty-reserved fishing rights consistent with *U.S. v. Washington* and *Hoh v. Baldrige*² and also promotes the recovery of ESA listed species and other salmon populations. These funds support policy and technical capacities within tribal resource management departments to plan, implement, and monitor recovery activities. In addition to watershed restoration and salmon recovery work they also help fund fish hatchery reform efforts to allow for the exercise of tribal treaty fishing rights.

It is for these reasons that the tribes strongly support the PCSRF. The tribes have used these funds to support the scientific salmon recovery approach that makes this program so unique and important.

- **Provide \$14.7 million for NOAA Pacific Salmon Treaty, including the additional \$3.0 million associated with the 2008 Chinook Salmon Agreement**

We support the Pacific Salmon Commission (PSC)/U.S. Section's request of \$14.7 million, an increase of \$3.9 million over the President's request. We also support as part of their request \$1.5 million for the Puget Sound Critical Stock Augmentation Program and \$1.5 million for the Coded Wire Tag (CWT) Program as required by the 2008 PST Chinook Annex Agreement. The Puget Sound Critical Stock funding covers the operation and maintenance costs for the hatchery augmentation programs established for Dungeness, Stillaguamish, and Nooksack Chinook. These hatchery efforts were initiated in connection with the 2008 Chinook Agreement of the US/Canada Pacific Salmon Treaty (PST) as the conservation needs of these populations could not be met by harvest restriction actions alone. The CWT funding allows for continued maintenance and efficiency improvements of the coast-wide CWT program. This is essential for the sustainability and management of our fisheries resources. Currently there is not enough

² *Hoh v. Baldrige* - A federal court ruling that required fisheries management on a river-by-river basis.

funding allocated to carry out the requirements of the PST, which causes the PSC to not be able to perform all of its responsibilities required in the treaty and its Chinook and coho annexes.

The PST was implemented in 1985 through the cooperative efforts of tribal, state, U.S. and Canadian governments, and sport and commercial fishing interests. The PSC was created by the United States and Canada to implement the treaty, which was most recently updated in 2008. The PSC establishes fishery regimes, develops management recommendations, assesses each country's performance and compliance with the treaty, and is the forum for all entities to work towards reaching an agreement on mutual fisheries issues. As co-managers of the fishery resources in western Washington, tribal participation in implementing the PST is critical to achieve the goals of the treaty to protect, share and restore salmon resources.

Adult salmon returning to most western Washington streams migrate through U.S. and Canadian waters and are harvested by fisherman from both countries. For years, there were no restrictions on the interception of returning salmon by fishermen of neighboring countries. The 2008 update of the treaty gave additional protection to weak runs of Chinook salmon returning to Puget Sound rivers. The update also provided compensation to Alaskan fishermen for lost fishing opportunities, while also funding habitat restoration in the Puget Sound region.

- **Provide \$15.8 million for NOAA Mitchell Act Hatchery Programs**

We support the President's request of \$15.8 million for the Mitchell Act Hatchery Programs. Funding is provided for the operation of 17 fish hatcheries that release between 50 and 60 million juvenile salmon and steelhead in Oregon, Washington, and Idaho. This program has historically provided fish production for tribal treaty fisheries in the Columbia River, and for ocean and in-river recreational and commercial fisheries. It is especially important to us in that they provide significant fish production for harvest opportunities for tribal treaty fisheries along the Washington coast. Providing adequate funding to maintain the current production levels from the Mitchell Act hatcheries on the Columbia River is important as this production not only supports coastal salmon fisheries but dampens the impact of Canadian fisheries under the terms of the PST Chinook Annex on Puget Sound and coastal stocks.

Overall production from these hatcheries has been reduced from more than 100 million to fewer than 60 million fish. This hatchery production is intended to mitigate for the lost production caused by the hydropower dam system on the Columbia River. Substantial changes have been made, and will continue to be required of the Mitchell Act Program, due to the application of the ESA throughout the Columbia Basin. Adequate funding will also allow these facilities to be retrofitted to meet current ESA standards as identified through the hatchery reform process.

- **Provide \$20 million for NOAA Regional Ocean Partnership Grants Program**

We request \$20.0 million for the Regional Ocean Partnership. It appears the President's FY15 budget didn't include a request but we feel it is necessary to highlight this program since it is so critical to our regional approach to coastal management. Funding for this competitive grant program is within the National Ocean Service Coastal Management account and supports regional ocean partnerships, including coastal and marine spatial planning. This program was

developed to advance effective coastal and ocean management through regional ocean governance by improving communications, aligning priorities and enhancing resource sharing.

The Hoh Tribe, Makah Tribe, Quileute Tribe, and the Quinault Indian Nation helped form the Intergovernmental Policy Council with the intent to strengthen management partnerships through coordination and focus of work efforts. They have pioneered cooperative partnerships with the state of Washington and the federal government in an effort to advance management practices in the coastal waters. Through this partnership, the entities hope to coordinate rockfish research, habitat mapping, and deep sea coral and climate change considerations. However, to have an effective partnership, our coastal tribes with treaty-reserved rights need additional funding.

The four coastal tribes and the state also wish to engage in an ocean monitoring and research initiative to support and transition into an ecosystem-based fisheries management plan for the Washington coast. This tribal-state effort would be in collaboration with NOAA and consistent with regional priorities identified by a regional planning body. Effective management of the ocean ecosystem and its associated resources requires the development of baseline information against which changes can be measured. This initiative will expand on and complement existing physical and biological databases to enhance ecosystem-based management capabilities. In turn, this will support ongoing efforts by the state and tribes to become more actively engaged in the management of offshore fishery resources. For the tribes and state to conduct an ocean monitoring and research initiative off the Washington coast, they will need funding to support this effort. Healthy oceans are essential if we value stable climates that will sustain our economies and our lives. Tribes must be partners in the efforts to research, clean up and restore the environment in order to deal with identified problems.

CONCLUSION

The treaties and the treaty-reserved right to harvest are the supreme law of the land under the U.S. Constitution. Some of the treaty tribes have had to give up even their most basic ceremonial and subsistence fisheries, which is unacceptable. It is critically important for Congress and the federal government to do even more to coordinate their efforts with state and tribal governments. Tribes are key partners in the management of natural resources by virtue of treaty-reserved rights and our legal status as co-managers. We need your continued support in upholding the treaty obligations and fulfilling the trust responsibility of those treaties in order for tribes to be successful. Although Congress has placed the bulk of the trust responsibility for Indian affairs in the Department of Interior, there are more than 20 departments and agencies, including the Department of Commerce, that collectively provide programs and services to the American Indians and Alaskan Natives.

We are sensitive to the budget challenges that Congress faces. However, sequestration has adversely impacted Indian Country and tribes continue to face difficult economic challenges. We respectfully urge you to continue to support our efforts to protect and restore our great natural heritage that in turn will provide for thriving economies. Thank you.



The American Physiological Society

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EXECUTIVE DIRECTOR

Martin Frank

February 5, 2014

The Honorable Frank Wolf
Chairman

Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies
Room H-310, The Capitol
Washington, DC 20515

Dear Mr. Chairman,

As your committee considers the Fiscal Year 2015 budget for the National Science Foundation (NSF), the American Physiological Society respectfully requests the opportunity to testify.

The American Physiological Society (APS) is a professional organization representing more than 11,000 scientists. The NSF plays a key role in promoting the progress of science, and is a leader in the development of science and engineering education. Continued support of the NSF will enable scientists to continue in their mission to advance national health and prosperity.

We appreciate your consideration of our request.

Sincerely,

Martin Frank, PhD
Executive Director

Eric Frey
Biological Technician
National Park Service / Cape Hatteras National Seashore
March 31, 2014

I am writing to request that the NOAA laboratory in Beaufort, NC not be closed due to budget concerns.

The Beaufort Laboratory employs over 70 full time federal staff members, including some of the most well respected researchers in the field today. Although I do not personally know many of the employees, I rely on their assistance and expertise while performing my job here at Cape Hatteras. They assist us in transporting and caring for sick and injured threatened and endangered species, including sea turtles and marine mammals. Without their help, we could not continue our efforts here at The Seashore, which would cause the loss of many of these animals.

Also, the Beaufort Lab is responsible for a lot of quality, current research in the fields of oceanography, marine mammals, sea turtles, etc. Ongoing projects that add to the overall knowledge base of these fields would cease, and many of these projects would not be completed.

I hope NOAA and Congress reconsider the closing of this facility and causing the unemployment for a large number of hard working individuals. If the Beaufort Lab shuts its doors, it not only affects its employees, but also the work and efforts of many organizations along the Atlantic Coast, as well as the wildlife and species that we are all committed (and mandated) to protect. Thank you for your time.

**Testimony of
Robert B. Gagosian
President and CEO of the Consortium for Ocean Leadership
Before the House Appropriations Subcommittee on Commerce, Justice and Science
March 31, 2014**

On behalf of the Consortium for Ocean Leadership, I appreciate the opportunity to discuss the FY15 federal science budget for the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA). Ocean Leadership represents 90 of the nation's leading oceanographic research and education institutions and also manages several ocean research and education programs in the areas of scientific ocean drilling, ocean observing, oil spills, and ocean partnerships. We respectfully request \$7.5 billion for the NSF; \$1.9 billion for Earth Sciences at NASA; and \$5.6 billion for NOAA.

As Congress prioritizes federal investments in the face of constrained budgets, it is important to recognize and maintain support for basic research as a core federal responsibility. Increasing this investment is a priority given the shift to a science and technology based economy whose foundation is built on scientific advances, both within specific disciplines as well as across disciplines. The U.S. dominance in S&T is being challenged by accelerated investment by other nations, as evidenced by Battelle's recent R&D Global Forecast, which states: "At the current rates of growth and investment, China's total funding of R&D is expected to surpass that of the U.S. by about 2022."¹

The Role of Ocean Science

Recent hypotheses suggest that the extreme weather events we have had this past year may be attributable to a persistent shift in the jet stream due to a rapidly melting polar region as well as a warmer North Pacific Ocean. If this is the case, ice storms in Mobile, Alabama or monsoon-like rain events in Boulder, Colorado, may become more frequent, along with their significant economic costs. Unfortunately, as the demand for more and better data and information to understand ocean and atmospheric trends increases, we are instead losing our capabilities to collect data at sea and from space to build more capable and accurate long-term forecasts. For instance, the inability to service the buoys comprising the TAO Array (Tropical Atmosphere Ocean project in the equatorial Pacific) has resulted in a degradation of the data return rate to just 40 percent capacity from an optimally operating system². This situation greatly reduces our ability to accurately forecast El Niño and La Niña strengths and thus risks proper preparation to deal with episodes of droughts and flooding.

¹ Battelle and R&D Magazine, December 2013.

http://www.battelle.org/docs/tpp/2014_global_rd_funding_forecast.pdf?sfvrsn=4

² El Niño monitoring system in failure mode, US budget woes cripple a key mooring array in the tropical Pacific Ocean. Jeff Tollefson. Nature News, January 23, 2014. <http://www.nature.com/news/el-niño-monitoring-system-in-failure-mode-1.14582>

Given that the ocean absorbs, stores and transfers most of the heat (and a high percentage of the carbon) on our planet, the ability to understand, forecast and prepare for extreme weather events requires investments in basic research to better understand air-ice-sea interactions as well as observations of the physical environment from space, land and sea. Without this basic knowledge and prediction capabilities on regional and seasonal scales, we are essentially flying blind in terms of managing resources (e.g. agriculture, fisheries, fresh water) and protecting public health. There are many major natural threats facing our nation and significant challenges ahead in understanding, forecasting and mitigating them, all of which require significant financial resources. We believe that our appropriations requests would enable our nation to maintain the assets and capabilities necessary to better understand the physical, chemical, geological and biological changes to the natural environment and use this information to help Congress, state and local governments, businesses and private individuals make informed and fiscally responsible economic and national security, public health and safety, and resource management decisions.

NSF Basic Research

The National Science Foundation (NSF) is our top funding priority as it is the premier federal agency tasked with supporting basic research, which underpins all future scientific advances. As you know, NSF is the only federal agency with the mission of supporting basic research, and has been a primary force in providing support for discoveries that have driven our nation's economy through innovation. Historically, Congress has appropriated top line numbers for the agency and has refrained from directing the course of the agency's research agenda or setting science or infrastructure priorities for the agency. We hope that this policy will continue so the Foundation can continue to make decisions based on the highest quality peer reviewed science, rather than politics.

Given the tremendous recent impact that natural hazards have had on our nation's economy and public welfare, we believe that investing in the geosciences is critical to advance our knowledge of the physical world, while social and behavioral sciences can improve our ability to understand and communicate key scientific findings and risks to the public and policymakers, who must deal with a rapidly changing planet. We hope that NSF can continue to fund the best minds in the nation through competitive research grants, while mission agencies such as NOAA and NASA can support applied research and observational requirements to ensure our nation has the intellectual capacity to develop and deal with the next generation of challenges. Thus, we request that Congress appropriate \$140 million in additional funding for the "Research and Related Accounts" to *at least* match anticipated inflationary costs, but preferably above this level to maintain a positive trajectory enhancing NSF capacity to support its research mission.

NOAA Research and Observations

The National Oceanic and Atmospheric Administration (NOAA) requires timely, accurate, and sensitive observations of the planet to meet its many missions and mandates. Given the austere budget environment, we believe that NOAA can better accomplish its scientific requirements in a more effective way through partnerships with the extramural academic and industrial communities, rather than relying solely on their own internal scientific capability. The majority of scientific research expertise in areas such as climate, ocean acidification, ocean exploration,

instrument development, data dissemination and fisheries management resides in the academic and industrial sectors. A greater commitment to extramural competitive peer-review grant opportunities to answer the key questions necessary to assess trends, make forecasts, and manage resources in a changing environment would improve efficiency and extend NOAA's access to the best minds in the nation.

We remain concerned about the nation's earth observing satellite programs and the ability to maintain continuity of long-term data sets. We encourage NOAA to follow the NESDIS Independent Review Team's (IRT) recommendations for procurement models for missions beyond J2 that will not only reduce costs but also mitigate against data gaps. Implementing all the missions as an integrated program could save the agency tens of millions of dollars. These savings could help address other needs, such as recapitalization of the oceanographic fleet to help service the TAO Array, or supporting a more robust ocean exploration program. Ultimately, we need the polar observing system to be more resilient and more capable, which requires a more integrated approach to weather and climate research, monitoring and modeling. Moving NOAA's climate sensors to NASA without the resources to support their construction and operation defeats this purpose. Consequently, we hope you will continue your close oversight of the federal Earth observing programs to help ensure that satellite missions can be cost-efficient, reliable, and effective.

Of course, the ocean also impacts life beyond weather, climate and extreme events. The *Deepwater Horizon* oil spill was a tragedy with loss of life, economic impacts and long-term ecological implications for the Gulf region. The fact that it took so long to identify and track the location of the massive subsurface oil plume in the water column or forecast its trajectory highlights the significant shortcomings of the existing ocean and coastal observing systems. Consequently, we need to make sure that we are better prepared for the next spill, especially given offshore oil exploration in the Arctic and now proposed for the Atlantic coast. Ideally, there should be significant coordination between NOAA and the National Academies of Sciences (NAS) with regards to the use of criminal and civil settlement funds and fines. We have a unique opportunity to build a sustainable ocean and coastal observing system that will better enable the Gulf region to identify and prepare for future problems, such as oil spills, red tides, and hypoxic events, while also better managing their marine living resources. I hope this opportunity is not lost given the significant funds that will flow into the region.

We are disheartened by the Administration's extremely low funding request for NOAA's Education programs, including the elimination of the competitive program, which in the past has supported successful initiatives such as the National Ocean Sciences Bowl (NOSB). For the last sixteen years, NOSB has exposed 26,000 students to a field of study not commonly offered in high school, which enhances student understanding of all major areas of science, technology, engineering and mathematics. We greatly appreciate your historical support for education programs at the mission agencies, and we hope that the Administration will take a more transparent and deliberative planned approach to improving our nation's STEM education programs in the future.

NASA Earth Science Research and Missions

We are very concerned with the Administration's proposal to cut Earth Science funding at the National Aeronautics and Space Administration's (NASA), particularly at a time when NASA is supporting several new Earth observing missions as well as providing unprecedented access to their archives of Earth data. NASA has been responsive to the 2007 "Decadal Survey," but a flat budget, as well as increased mission responsibilities, has delayed many critical missions. While we support NASA taking on additional responsibilities for developing climate sensors from NOAA, we believe that this obligation should be accompanied with adequate financial resources. NASA has shown itself to be an effective partner with other agencies, such as with the USGS and their Landsat-8 mission, and with NOAA and the NPP-Suomi satellite. Moreover, its Venture class missions are providing flight opportunities for the next generation of scientists and engineers. We also support two NASA satellite missions, Surface Water Ocean Topography (SWOT) and Pre-Aerosol, Clouds, and ocean Ecosystem (PACE), which are particularly important to the oceans community and are tentatively scheduled for launch by 2020. NASA supports the only truly global view of the Earth, so it is critical to support its Earth science missions and research at a time when we see such unprecedented change to the physical environment of our planet.

Mr. Chairman and members of the Subcommittee, I greatly appreciate the opportunity to share our recommendations, and I encourage you to continue your long-standing bipartisan support for science funding in the FY15 budget and into the future.

Below is a list of the institutions that are represented by the Consortium for Ocean Leadership.

Alabama

- Dauphin Island Sea Lab

Alaska

- University of Alaska Fairbanks
- Alaska Ocean Observing System
- North Pacific Research Board

California

- Bodega Marine Lab
- Monterey Bay Aquarium Research Institute
- Moss Landing Marine Laboratory
- Naval Postgraduate School
- Stanford University
- University of California, Santa Barbara

- University of California, Santa Cruz

- University of California, San Diego (Scripps Institution of Oceanography)
- University of Southern California
- Aquarium of the Pacific
- Hubbs-SeaWorld Research Institute
- Romberg Tiburon Center for Environmental Studies
- Esri
- L-3 MariPro, Inc.
- Liquid Robotics, Inc.
- Teledyne RD Instruments

Colorado

- Cooperative Institute for Research in Environmental Sciences

Connecticut

- University of Connecticut
- Mystic Aquarium & Institute for Exploration

Delaware

- University of Delaware
- Mid-Atlantic Regional Association Coastal Ocean Observing System

Florida

- Florida State University
- Harbor Branch Oceanographic Institute at FAU
- University of Florida
- University of Miami

- University of South Florida
- Earth2Ocean, Inc.
- Florida Institute of Oceanography
- Nova Southeastern University

Georgia

- Skidaway Institute of Oceanography of the University of Georgia
- Savannah State University

Hawaii

- University of Hawaii

Illinois

- John G. Shedd Aquarium

Louisiana

- Louisiana Universities Marine Consortium
- Louisiana State University

Maine

- Bigelow Laboratory for Ocean Sciences
- University of Maine
- The IOOS Association

Maryland

- University of Maryland Center for Environmental Science
- Johns Hopkins University
- Marine Technology Society
- National Aquarium

Massachusetts

- Massachusetts Institute of Technology
- University of Massachusetts, Dartmouth
- University of Massachusetts, Lowell
- Woods Hole Oceanographic Institution

- Battelle
- Michigan**
- University of Michigan
- Mississippi**
- Mississippi State University
 - University of Mississippi
 - University of Southern Mississippi

Nebraska

- University of Nebraska, Lincoln

New Hampshire

- University of New Hampshire

New Jersey

- Rutgers University

New York

- Columbia University (LDEO)
- Stony Brook University

North Carolina

- Duke University Marine Laboratory
- East Carolina University
- University of North Carolina, Chapel Hill
- University of North Carolina, Wilmington
- North Carolina State University

Oregon

- Oregon State University

Pennsylvania

- Pennsylvania State University

Rhode Island

- University of Rhode Island

South Carolina

- Belle W. Baruch Institute for Marine and Coastal Sciences
- South Carolina Sea Grant Consortium

Texas

- Harte Research Institute
- Texas A&M University
- University of Texas, Austin
- Fugro
- Sonardyne, Inc.

Virginia

- College of William and Mary (VIMS)
- Old Dominion University
- CNA
- Institute for Global Environmental Strategies
- U.S. Arctic Research Commission
- CARIS, USA
- SAIC

Washington

- University of Washington
- Sea-Bird Scientific

Washington, DC

- Southeastern Universities Research Association

Wisconsin

- University of Wisconsin-Milwaukee Great Lakes WATER Institute

Australia

- Institute for Marine and Antarctic Studies (IMAS) at the University of Tasmania

Bermuda

- Bermuda Institute of Ocean Sciences (BIOS)

Canada

- Dalhousie University
- University of Victoria

Sonita Gaitros

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Wilmington, NC 28409
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March 31, 2014

Dear Subcommittee Members:

I am writing in support of the Beaufort, NC NOAA Laboratory. It is my understanding that this laboratory is slated for closure. As an active volunteer with the Sea Turtle management programs in NC, I have seen first hand the impact of the work being done in this laboratory. The scientist working there represent the cutting edge of marine research. 108 staff and contractors stand to lose their positions if this lab is closed. Over 12 million dollars have been spent since 2006 to bring the lab up to date and correct infrastructure problems. In its proposal to close the lab, NOS used outdated information which lead to the conclusion that the facility required extensive repairs. According to the updated 2014 engineering study, the facility is structurally sound. It is also important to note that the agency is requesting an additional \$4 million in funding for another laboratory to address coastal ocean issues which are currently being studied at the Beaufort Laboratory. I urge you to reconsider this issue and restore funding to maintain the current standards of excellent scientific research underway at the Beaufort Laboratory.

Sincerely yours,

Sonita Gaitros

31 March, 2014.

To: House Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies

From: Matthew Godfrey, 1507 Ann St. Beaufort, NC 28516

Subject: Proposed closure of the NOAA Laboratory in Beaufort, NC

cc. Congressman Walter Jones

cc. Senator Kay Hagan

cc. Senator Richard Burr

I am writing in support of the NOAA Laboratory in Beaufort, North Carolina, which has been slated for closure under the proposed FY2015 budget. I strongly urge that this facility not be closed, for several reasons:

1. It is a center of research excellence, and provides essential information on our marine resources in the mid-Atlantic region and beyond, including key data and information on fisheries, oceanography, and protected resources management. If it is closed, there will be no similar NOAA facility in the region,
2. The NOAA lab provides essential services to the local region, such as responding to local environmental issues such as marine mammal UMEs, hurricanes and tropical storms, etc. If the laboratory is closed, these services will be lost and the region will be negatively affected.
3. The laboratory provides employment for >100 professionals in an area where these types of employment opportunities are limited. In addition, these professional employees play key roles in the community, as members of local school boards, community organizations, and sports groups. They serve as ideal role models for children in the area, and their loss would disadvantage the regional community where the laboratory is located.

I strongly recommend that the proposed closure of the Beaufort NOAA Laboratory as indicated in the President's Budget Request should NOT be included in the NOS Budget. I also recommend that Congress should direct NOAA to restore funding to the Beaufort Lab for staffing, operational and research activities. Finally, I request that NOAA provide a timeline to Congress that clearly describes a timely strategy to deal with these issues.

Thank you for your time and support.

Matthew Godfrey
1507 Ann St.
Beaufort, NC 28516

John J. Govoni, Ph.D.

Ecological Consultant

P.O. Box 1112

Beaufort, NC 28156

In the President's Budget request for 2015, the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), proposes to close the NOAA Laboratory located in Beaufort, NC (reference the President's FY2015 Budget for NOS, Coastal Science, Assessment, Response and Restoration: NOAA Blue Book, page 8). The request does not cite dollar amounts for closure, and ignores the \$14 million dollars recently invested in the Beaufort Laboratory. The United States government can ill afford to close the Beaufort Laboratory, as proposed in the President's FY15 budget request.

The Federal Research Laboratory located in Beaufort, North Carolina was formerly named the U.S. Fisheries Commission Laboratory at Beaufort and the Beaufort Laboratory of the National Marine Fisheries Service (NMFS), and is now formally named the NOAA Center for Coastal Fisheries and Habitat Research (CCFHR). It is the second oldest Federal marine research Laboratory in the U.S. For the past 115 years, the Beaufort Laboratory has served the Nation by providing timely and needed research products used to guide the effective management of natural resources. The Beaufort Laboratory has gained prominent recognition, reputation, and credibility both nationally and internationally.

- The Beaufort Laboratory operates research programs with staff of three different NOAA components: NOS, NMFS, and the National Estuarine Research Reserve System (NERRS). No consideration of NMFS or NERRS operations given the proposed closure is reflected in the President's budget request for NOS FY2015. If enacted, the closure, proposed to begin as early as October 2014, will have severe impacts

on the multiple programs of NMFS, NOS, and NEERS. Curiously, NOAA requests an increase of \$4 million to support ecological forecasting. With this increase, NOAA and NOS' National Centers for Coastal Ocean Science (NCCOS) will develop and implement ecological forecasts for harmful algal blooms (HABs), hypoxia, marine pathogens, and marine species distributions. Ironically, a budget initiative for NOS in the President's FY2015 request, requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory; the Beaufort Laboratory has both well-established expertise and facilities required to address many of those very same issues. Closure of the Beaufort Laboratory would be operationally and fiscally irresponsible.

- The Beaufort Laboratory (NMFS) conducts stock assessments for the South Atlantic Fishery Management Council, the Caribbean Fisheries Management Council, the Gulf States Marine Fisheries Council, and the Atlantic States Marine Fisheries Commission. These are all organizations mandated by Federal Law. The support of management councils and Commissions provided by the Beaufort Laboratory would be lost with the closure of the Beaufort Laboratory. Closure is thus organizationally irresponsible.
- The laboratory currently employs nationally and internationally known scientists, who are providing essential and necessary support for the resolution of other national issues (NOS). These issues include: the impacts of invasive species on marine ecological communities; ecological forecasting of the condition of habitats, and ecosystems therein that support many species that are exploited commercially and recreationally; harmful algal blooms that can and do impact human health; and aquaculture planning and sustainability for the Atlantic coast, Gulf of Mexico, Caribbean (U.S. possessions), the Pacific west coast, and the Hawaiian archipelago. The Beaufort Laboratory also supports efforts at recovery from oil spills, coral reefs, and

sea-grass beds, and the restoration of the nation's shorelines and marshes. The Beaufort Laboratory's excellent research capabilities and reputation has attracted, and continues to attract, support from other branches of NOAA, from other Federal Organizations, and from NGO's that have long recognized the benefits provided by the Beaufort Laboratory. This inter-agency cooperation, and the efficiency that this cooperation provides, would be lost with closure.

- The Beaufort Laboratory currently employs 71 Federal employees and 33.5 contractors. Some of the Federal employees could be relocated, but contract employees would lose their jobs. Eight North Carolina State employees work at the Rachel Carson National Estuarine Research Reserve headquartered in the Federal Building on Pivers Island. The impacts to the employees, their families, and the local community have not been evaluated in the proposed budget request. Thus, closure would be an embarrassment to a government committed to increasing job opportunities and supporting economic recovery.

- The President's budget for FY2015 cites the age of the Beaufort Laboratory and the need for infrastructure repairs and improvements that exceed agency budget resources. Considerable tax dollars have been, and are being, invested in renovating the Beaufort Laboratory; dollars invested toward this end since 2006 currently approach \$14 million. A new Administration Building, that serves not NOS and NMFS operations at the Beaufort Laboratory, but also the North Carolina, Department of the Environment and Natural Resources, Division of Coastal Management and the Rachael Carson, has been constructed, and has been in operation for 10 years. A new Bridge that accesses Pivers Island --- both the Beaufort Laboratory and the Duke University Marine Laboratory --- has been constructed and is in operation. A new Maintenance Facility has been constructed. A new scientific collection storage building has been constructed. Storm-water drainage systems have been

constructed. The seawall that surrounds the Federal half of Pivers Island is currently being renovated. Yet, the two extant, old structures that remain and have not been replaced, have been renovated and are fully functional and operable. Further, the Beaufort Laboratory contains a large and diverse array of valuable scientific equipment that cannot be maintained or effectively used with the loss of support staff. The large government investment in facilities and equipment would be wasted should the Beaufort Laboratory close. Closure would be fiscally irresponsible.

- With the President's FY15 budget request, NOAA proposes to shift the funding to the Washington, DC area, which is among the most expensive locations nationally: this is not cost effective! The cost of providing laboratory and office space at Beaufort is cheaper than most areas other coastal areas of the U.S. In addition, the DC area has no access to the marine environments represented at Beaufort, and DC does not have the laboratory space and equipment to replace what would be lost with the closure of the Beaufort Laboratory.

I urge this sub-committee to oppose the proposed closure of the Beaufort Laboratory when Congress considers the 2015 Appropriations Bill. Further, I urge this sub-committee to encourage Congress to inform NOAA that requests for closure of the Beaufort Laboratory will not be entertained in the future, and that Congress should direct NOAA to restore the Beaufort Laboratory staffing, operational support, and research funding.

**SARASOTA DOLPHIN RESEARCH PROGRAM
CHICAGO ZOOLOGICAL SOCIETY**

March 31, 2014

Reinstate Funding for Nationwide Mammal Stranding Networks (John H. Prescott Marine Mammal Rescue Assistance Grant Program) Administered by the National Oceanic and Atmospheric Administration (NOAA).

TO: House Subcommittee on Commerce, Justice, Science and Related Agencies (sent via email to CJ.Approp@mail.house.gov)

FR: Drs. Alejandro Grajal, Stuart D. Strahl, and Randall Wells
Chicago Zoological Society

The National Oceanic and Atmospheric Association (NOAA) is proposing the drastic reduction of funding for the John H. Prescott Marine Mammal Rescue Assistance Grant Program in the FY 2015 federal budget. On behalf of the Chicago Zoological Society (CZS) and its Sarasota Dolphin Research Program (SDRP), we are writing to urge your support to reinstate this program at the level provided by Congress in FY 2012, which was \$3.5 million.

Nationwide, marine mammal stranding response networks are run primarily through non-profits and other non-government entities and coordinated through NOAA's National Marine Fisheries Service (NMFS). These networks perform an array of important functions, effectively leveraging specialized human resources and equipment, with little fanfare, as they respond to an average of more than 5,000 marine mammal strandings each year.

The Chicago Zoological Society conducts and supports marine mammal stranding responses in the Eastern and Northeastern Gulf of Mexico through our Sarasota, Florida-based dolphin research and conservation initiative.

Stranding network personnel, including Florida-based Chicago Zoological Society staff, are the nation's first responders to both live and dead marine mammals that come ashore, often in developed coastal communities. Responders are in fact often the sole entity to intervene between a wild and potentially dangerous marine animal and the public.

In addition, to responding to stranding requests, organizations like ours conduct and support related investigations that include collection of biological specimens from stranded animals. These investigations allow network responders to perform surveillance for emerging, infectious, and zoonotic (transmissible to people) diseases, which is necessary for minimizing risks to public health and safety, as well as for developing a

better understanding of the health risks facing these animals and ecosystem well-being more broadly.

NOAA Fisheries cannot do this work independently and must rely upon non-government stranding network responders, like the Chicago Zoological Society's Sarasota Dolphin Research Program, to execute this data collection.

Led by Dr. Randall Wells and based at Mote Marine Laboratory in Sarasota, SDRP is internationally recognized, and our research has helped scientists throughout the world learn about dolphin biology and social structure, environmental impacts on dolphin health, and the effects of human activities and interactions on dolphins.

Further, SDRP has a long history of working in partnership with NOAA. Currently, the Sarasota dolphin population serves as a control population in a NOAA project to evaluate the health of Gulf of Mexico dolphins affected by the Deepwater Horizon oil spill. In addition, NOAA researchers joined the SDRP team in May 2013, to learn our health assessment approach, which was then applied to a follow-up two-week health assessment in Barataria Bay in June and Mississippi Sound in July.

Current NOAA funding through the Prescott Assistance Grant Program provides support for "Dolphin Interventions in the Northeastern Gulf of Mexico" (Award No. NA12NMF4390152). The overall goal of this project is to reduce the number of adverse outcomes of cases involving dolphins in distress by applying our specialized skills, resources, and experience in responding to cases in the northeastern Gulf of Mexico.

Most recently, in November, through Prescott funding, at NOAA's request the SDRP led a capture-release rescue effort involving 40 rescuers from a variety of institutions and eight boats to save an entangled bottlenose dolphin calf near Ft. Myers Beach, Florida. The entangled calf and its mother were encircled in a capture net east of mid-Estero Island. The mother escaped, but remained nearby. The calf was disentangled, examined by veterinarians; the wound flushed with Betadyne, and it was given a long-term dose of antibiotics, tagged with a white roto-tag and released. The calf swam off strongly with its mother and was observed within the past few weeks near Marco Island, Florida in good condition.

With its long track record of successful dolphin rescues, SDRP is often called upon to help disentangle dolphins from fishing lines and other gear and to help with stranded dolphins and other marine animals.

Since the inception of the Prescott Program in 2000, more than \$36 million in federal funding has been provided to the national stranding network in the form of competitive grants. In return, Prescott Grant recipients have provided more than \$12 million in matching cost share contributions from their own resources and funding raising efforts. With this leveraging of non-federal sources, the Prescott program provides a tremendous return on its investment. Moreover, Prescott Program funding creates and supports a multitude of jobs and additional specialized resources that would be possible otherwise.

There is no other entity that is willing and able to fund the majority (and most critical aspects) of marine mammal stranding response network duties. Continuing the work of NOAA's Prescott Program is clearly in the public interest and has high public support.

Sincerely,

Dr. Randall Wells
Director, Sarasota Dolphin Research Program
Chicago Zoological Society
Sarasota, Florida

Dr. Alejandro Grajal
Vice President, Conservation, Education and Training
Chicago Zoological Society
Chicago, Illinois

Dr. Stuart D. Strahl
President and CEO
Chicago Zoological Society
Chicago, Illinois



March 31, 2014

Person/Organization Submitting Testimony: Michael Gravitz, Director of Policy and Legislation of Marine Conservation Institute

Agency the Testimony is Addressing: National Oceanic and Atmospheric Administration

Program/Budget Line Addressed: Hawaiian Monk Seal Recovery Program within Marine Mammal Line of Protected Species Research and Management of National Marine Fisheries Service

Amount Requested/Increase: \$5 million, an increase of \$2.5 million over Presidential request

The Honorable Frank Wolf, Chairman

The Honorable Chaka Fattah, Ranking Member

Subcommittee on Commerce, Justice, Science, and Related Agencies

Committee on Appropriations

Capitol, H-310

Washington, DC 20515

Dear Mr. Chairman and Ranking Member:

Marine Conservation Institute, based in Seattle, WA, is a nonprofit conservation organization that uses the latest science to identify under-protected marine ecosystems around the world, and advocates for their protection for present and future generations. I wish to thank the members of the subcommittee for the opportunity to submit written testimony on the FY 2015 appropriations for the National Oceanic and Atmospheric Administration (NOAA).

Marine Conservation Institute was instrumental in advocating President Bush's designation of the Papahānaumokuākea Marine National Monument (Northwest Hawaiian Islands). The Hawaiian monk seal, the iconic marine mammal of Papahānaumokuākea, is critically endangered, numbering about 900 to 1100 individuals. We believe its recovery should be a top priority of NOAA's Protected Resources Program. Unfortunately this is not the case, as evidenced by the inadequate budget requests NOAA has sent to the committee over the last several years.



Marine Conservation Institute supports \$5.0 million in base funding for the Hawaiian Monk Seal recovery program, which is one element within the Protected Resources, Marine Mammals budget line. With a \$5 million base, NOAA staff in the Pacific Region would be able to undertake the full suite of activities necessary to protect the species from current threats and enlarge its population. Currently, the program is doing the bare minimum, not the desired optimum, to restore formerly healthy populations. At a level of \$5 million, the monk seal program would receive approximately 35-45% more than in the FY 2014 spend plan, and about double what was included in the last two Presidential budget requests. Though these percentage increases by themselves seem large, they are justifiable given program needs. Furthermore, the amount that the Protected Resources budget would have to rise to accommodate an increase for the monk seal is quite small – at \$2.5 million, the increase would add just 1.3% to a budget of \$186 million.

Why Hawaiian Monk Seal Recovery Is Important

NOAA is responsible for recovering populations of the Hawaiian monk seal, one of the most critically endangered marine mammals in the world. The seal is also the only marine mammal whose entire range lies within our national jurisdiction; thus the US has sole responsibility for its continued survival. Over the last 50 years, the Hawaiian monk seal population has experienced a severe decline of 60%, and now the population is slightly more than 1,000 individuals. Various factors have contributed to the seal's decline, including: human hunting of the species to near extinction in the mid-1800's; entanglement in marine debris; being hooked or entangled by fishing gear; loss of habitat for pupping and resting; and competition for food in the Northwestern Hawaiian Islands; to name a few.

There is reasonable hope for the monk seal if a small subpopulation in the main Hawaiian Islands can continue to grow beyond its current level of 130-200 individuals. However, this population growth has generated increased conflicts with citizens and recreational fishermen who unintentionally hook or entangle monk seals. In 2012 alone, there were 15 confirmed hooking incidents, and three seals died as a result. Hostility toward the seal has become toxic in some communities, prompting at least four intentional seal killings on Kaua'i and Moloka'i over the course of a little more than a year.

Because of the efforts of private foundations and funders, Marine Conservation Institute has been able to successfully conduct culturally appropriate anger reduction activities on Kaua'i in the last two years and there hasn't been an intentional killing since then. But this kind of private funding is not a permanent solution for plugging a hole in NOAA's budget.



It has been conservatively estimated that 30% of the monk seals alive today are due to direct actions by NOAA and its partners¹. However, we are concerned that funding for the monk seal has severely reduced in recent years (a level as low as \$2.7 million in 2011). Furthermore, our analysis indicates that cuts to the monk seal program have been disproportionate compared to other marine mammal species under NOAA's jurisdiction.

Lower funding levels in recent years have already severely affected recovery efforts by reducing seasonal field camps essential for population monitoring and seal protection in the Northwestern Hawaiian Islands; hampering critical community liaison efforts to explore and explain the importance of the monk seal in Native Hawaiian culture and address the complaints of fishermen; crippling shark control efforts to reduce predation on seal pups in Papahānaumokuākea ; and shrinking research on measures to reduce human-seal interactions.

Funding Level Necessary for Monk Seal Recovery

Marine Conservation Institute strongly recommends the subcommittee provide an additional \$2.5 million to the monk seal recovery effort for a total of \$5 million in FY 2015.

Respectfully,

Michael Gravitz, Director of Policy and Legislation
 Michael.Gravitz@marine-conservation.org

¹ McAvoy, Audrey. "Feds – Efforts to rescue monk seals helping species." Associated Press in West Hawaii Today, January 26, 2012

Dr. Vincent G. Guida
Private Citizen

House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Subcommittee Members,

I would like to strongly oppose the closing of the Beaufort, N.C. NOAA laboratory as proposed in the President's FY 2015 budget. As a professional marine scientist, an alumnus of North Carolina State University and the Beaufort Laboratory, and one who has collaborated at length with both NMFS and NOS staff at Beaufort, I believe that this closure is a very poor decision at best. Although I am writing this letter as a private citizen, and the views expressed are not intended to represent those of any government agency, I am currently a scientist at the NOAA Northeast Fisheries Science Center who has also worked at Beaufort as well as in academia.

Beaufort is a facility at the height of its productivity and potential. Its location is key for two reasons. First, it is located at the juncture of the Carolinian and Virginian faunal provinces and what science is done there is key to understanding the progress of changes associated with climate change. Second, the Beaufort lab is located in a rich intellectual nexus. Over the years the lab has become an excellent training ground for young marine scientists, in no small part because of the proximity of North Carolina State, Duke, and the University of North Carolina facilities, not to mention housing NMFS, NERRS and NOS offices within its walls. All this has engendered many collaborations and much intellectual cross-fertilization to the great benefit of NOAA as an agency and its academic neighbors in North Carolina. I have experienced it when I was there doing my graduate work in 1977 in the subsequent years that I have remained in contact with Beaufort. This administration may see closing this facility as an easy way to save a chunk of money, but the loss would be far greater for the future of the marine and fisheries resource management and particularly for NOAA than can be expressed in simple monetary terms. What is being done there in terms of value to the agency and its future cannot be reproduced in Miami or Woods Hole, Silver Spring, or any other location. Put simply, to close Beaufort would literally be penny-wise and pound-foolish.

Thank you for the opportunity to comment on this matter.

Respectfully,



Vincent G. Guida PhD
Marine Science/Zoology NCSU 1977

March 31, 2014

Dear Committee Members,

Acting as a private citizen on my own time, I would like to submit testimony for the record.

I have recently been informed that the Presidents FY15 budget proposal includes plans to close down the NOAA Beaufort Laboratory in Beaufort, NC. This is a misguided decision. To learn why, I would like the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies to consider the following testimony.

Issue presented in budget – Long term cost of maintaining the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research) “To strengthen NOAA’s coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory...” On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: “this aging facility requires infrastructure repairs and improvements exceeding agency budget resources....”

Response – Urge proposed closure of NOAA’s Beaufort Laboratory be removed from the NOS budget.

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. An updated engineering report (2014) documents the condition of the facility is not structurally unsound. Additionally, there have been substantial improvements to the facility:

Facilities Upgrades

- 2006—Administration Building replaced (with NC NERRs)
- 2007—Bridge replaced – cost shared with Duke University
- 2008—Maintenance Building replaced
- 2009—Air conditioning/Air handler replacement and mold abatement
- 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
- 2014—Seawall repair, electrical upgrade and State of NC funded storm water control

Additionally, the National Ocean Service initiating the closure request understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 6 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Issue – While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support Ecological Forecasting of Harmful Algal Blooms (HAB), hypoxia, pathogens and Species Distributions.

Response – NOAA should not close the facility that has a proven track record with successful and effective research conducted on harmful algal blooms (HAB) and species distributions.

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In regards to species distribution research, Beaufort Laboratory staff initiated the study of the invasive lionfish in the US South Atlantic Bight, providing timely information on distribution, abundance and ecology to inform mitigation and management strategies throughout the SE US, Florida Keys, Gulf of Mexico and the Caribbean.

Additional Impacts of the Beaufort Lab Closure –

- N.C. Coastal Reserve and National Estuarine Research Reserve (NCNERR) staff are currently located at the NOAA Beaufort Lab which serves as the headquarters office for the program.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a five-minute boat ride from the Rachel Carson component of the NCNERR; this close proximity is essential for conducting NCNERR activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Request – The House Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies decline to endorse the recommendation to close the Beaufort Laboratory and request current and accurate information from the Beaufort Laboratory leadership on costs for maintaining the Laboratory.

Desired Outcomes –

- NOAA’s Beaufort Laboratory closure proposed in the 2015 President’s Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

IN SUMMARY

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. The request understated the number of staff housed at this facility, and did not include NMFS or NCNERR employees. For 115 years, the NOAA Beaufort lab has had a rich history of involvement in local, national, and international marine science issues. The laboratory has produced award winning science in Fisheries and Harmful Algal Bloom research and is respected for the expertise and knowledge of the staff working there. The programs that NCNERR conducts at the facility are clear evidence of the Beaufort lab’s commitment to education and outreach—closing the facility would disrupt and greatly increase the hardships of running a successful marine science educational program. The lab originated in Beaufort, NC because of its unique position, being at the edge of two biogeographic regions (i.e., Cape Hatteras), and at the cusp of expanding tropical regions. It is critical that a NOAA lab of this strength continues in this location given the imperative to understanding fisheries management, coastal ecosystem management, climate impacts, coastal pollution, and harmful algal bloom issues in the mid and south Atlantic regions. Closing the Beaufort lab would leave a NMFS “facilities-based-gap” from Sandy Hook, NJ to Miami, FL. This fact alone reveals the shortsightedness of the President’s proposal. I hope the committee carefully considers this testimony and the testimonies of others that voice similar opinions against the President’s proposal to close the Beaufort NOAA Laboratory.

Thank you for your consideration,

Rebecca Haines
101 Beechwood Dr
Morehead City, NC 28557

David and Carol Hale
 Eastern North Carolina Residents
 511 Neuse Harbour Blvd New Bern, NC 28560

House Committee on Appropriations
 Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

We want to express our strong opposition to the President's FY 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, and urge the sub-committee to help reinstate funding for this essential resource. This laboratory is a vital part of the local, national, and international marine science community. It has partnerships with academic institutions such as NC State University, UNC-Chapel Hill, Duke University, East Carolina University and UNC-Wilmington, as well as partnerships with economic development activities such as the NC Marine Science and Education Partnership, NC Biotechnology Center, and Marine Biotechnology Center of Innovation. This laboratory has served eastern North Carolina and the nation for 115 years by executing top-notch, award winning, and marine science.

The NOAA Beaufort Laboratory is situated in a prime location, between tropical and temperate waters, and provides the only federal access to the most diverse marine ecosystem in the United States. It is unthinkable that the U.S. government would give up on a facility that is located in such a strategic position on our national coastline.

A prime example of research ongoing at the NOAA Beaufort Lab that is important to me is their work on harmful algal blooms. The Neuse River, which is my "back yard," experiences periodic algal blooms and fish kills. After a fish kill, the NOAA Beaufort Lab tests water samples and dead fish to determine the cause(s). This gives local residents ease of mind regarding the health of our river systems and the seafood that we purchase from local commercial fishermen. We had a bad algal bloom scare back in the early 1990's that was supposedly caused by "*Pfiesteria*," a type of algae. This caused a lot of people to stay away from the rivers and made them anxious about buying local seafood. Needless to say, this resulted in major economic damage to eastern North Carolina. Whether most people know it or not, the Beaufort Lab is able to investigate problems of this nature worldwide. This gives us a sense of security in the seafood that we purchase and confidence in the water quality where my seafood originates.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at this unique location and I am a we are direct benefactors. The science that is conducted at the Beaufort is of the highest quality and has won national and international awards. If you examine the laboratory's science and funding history these folks do good science and they have been doing it on a shoestring budget for quite some time. Why would the government want to close down a facility that produces high quality products at minimal cost to the United States public? We're currently funding hundreds of millions of dollars in projects in Afghanistan. We therefore urge you to please restore full funding for this important federal laboratory.

Sincerely,

David E. Hale
Carol K. Hale

Caitlin Hamer
 Concerned Beaufort Resident
 Duke Marine Lab Alumni
 NC Coastal Reserve Former Employee

29 March 2014

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations,

I am gravely concerned about the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory located in Beaufort, North Carolina. This lab is part of the National Oceanic and Atmospheric Administration; it is administered by the National Ocean Service (NOS), but also houses the National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS). Although I am writing this letter as a private citizen, and the views expressed are not intended to represent those of any agency or institution, I currently work in a position at the Duke Marine Laboratory and therefore have firsthand knowledge regarding the value of this laboratory to the nation, in terms of its contributions toward marine science, natural resource management, and public outreach. The proposal to close this laboratory is a short-sighted reaction to a short-term problem.

The closure of NOAA's Beaufort Laboratory proposed in the 2015 President's Budget Request should not be included the NOS budget. Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; sea grass; pathogens; and snapper and grouper monitoring and ecology. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. Furthermore, **this lab is the originator and centerpiece of an internationally esteemed consortium of marine science institutions**, including the marine laboratories of Duke University, NC State University, the University of North Carolina, and the North Carolina Division of Marine Fisheries. Beaufort was chosen because it is a prime location where northern and southern marine ecological communities intersect, and as such this lab provides the only federal access to the most diverse marine ecosystem in the United States. There is **no other location** where these opportunities can be accessed as **easily** or as **cheaply**. It is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline.

The request to close the laboratory was based on current funding allocation, but inaccurate and outdated information that overstated the costs of maintaining the facility was used in the analysis that led to this request. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account at all for employees from NMFS or NERRS. In effect, **this mistake** excluded more than **half the staff** of the lab. Furthermore, the request was based on **estimated costs** for the lab's upkeep and maintenance that **were in error**. Since 2006, several

activities have been completed to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building, replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. After such investments, closing the lab now would represent **a conspicuous waste of tax-payers' money**. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is **NOT structurally unsound**. I used to work in the building and it is very nice! Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

NERRS is partnered with the N.C. Coastal Reserve, with program headquarters at the NOAA Beaufort Lab. I used to work in this office as a coastal educator, and can say firsthand—this program supports **long-term research, water-quality monitoring, education, and coastal stewardship**. In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." With this funding, NOAA invested \$1.28 million and the state of NC invested \$42,000 for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission. The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities. The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve, and this close proximity is essential for performing Reserve activities efficiently to conduct mission-critical work, including educational programs, water quality and habitat monitoring, research programs, and stewardship of the site, which involves species monitoring, debris clean-ups, feral horse management, and access point maintenance. In short, **NERRS activities** in education, training, and stewardship have been **extensive**, and they would **not be feasible from any other federal laboratory**.

In conclusion, closure of the NOAA Beaufort Laboratory would be devastating scientifically and economically. It would cripple NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on flawed estimates of maintenance costs and an outdated engineering report, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing the lab would be trivial; however the loss to the nation and the local community would be monumental.

Sincerely,

Caitlin Hamer

125 Briar Patch Drive
Beaufort, NC 28516

**TESTIMONY OF ANN HARKINS
PRESIDENT AND CHIEF EXECUTIVE OFFICER
NATIONAL CRIME PREVENTION COUNCIL
HOUSE COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS SUBCOMMITTEE
FISCAL YEAR 2015 OUTSIDE WITNESS TESTIMONY**

Thank you, Chairman Wolf and Ranking Member Fattah, for the opportunity submit testimony to the Subcommittee in support of funding for the U.S. Department of Justice's crime prevention programs. My name is Ann Harkins, President and CEO of the National Crime Prevention Council (NCPC). In Fiscal Year 2015 (FY15), we respectfully urge the Subcommittee to appropriate \$25 million for the Byrne Memorial Competitive Grants Program, \$15 million for the Economic, High-Technology, Cybercrime Prevention program, and \$75 million to continue the Comprehensive School Safety Program.

NCPC has provided useful information on proven and cost-effective crime prevention practices to local law enforcement, community leaders, and citizens for more than 30 years. These activities have been supported through our longstanding effective partnerships with this Subcommittee and the Department of Justice's (DOJ) Office of Justice Programs (OJP). We hope that the investments made in law enforcement programs in the FY14 Omnibus Appropriations Legislation can continue to be built upon in FY15, and are pleased to offer our suggestions to help effectively invest today's limited resources.

Within the funds for the Byrne Competitive Grants program, we respectfully request that the Subcommittee provide specific guidance to OJP to continue its historic support for two essential crime prevention functions. The first is ensuring the existence of independent, non-governmental national repositories of best practices and evidence-based crime prevention. This ensures that state and local law enforcement have access to the best materials on effective crime prevention practices—to get the best possible outcomes from the Subcommittee's investments in Byrne Justice Assistance Grants and in OJP's other state and local assistance programs. The second essential function is a strong national public education campaign to reach the general public with evidence-based crime prevention messages—a tactic which has been shown to have tremendous impact in changing individual and collective behavior to prevent crime.

We also want to applaud DOJ for a well thought out, comprehensive grants program that supports the Intellectual Property Crimes Task Force. In the last few years OJP has awarded grants to state and local law enforcement to encourage strong investigations and effective prosecutions of Intellectual Property crimes, which cost our economy 373,000 jobs and \$58 billion per year, and pose serious threats to Americans' health and safety. Those local efforts are supported by grants to national programs as well.

The Department also wisely included a demand reduction component to this comprehensive effort. In partnership with DOJ, late in 2011 NCPC launched a public education campaign to increase public awareness of the consequences of purchasing counterfeit and pirated products. The campaign addresses the impacts to health and safety, potential support for organized criminal elements, and job loss. We hope the Subcommittee will support this effort and encourage OJP to continue this sensible approach of including demand reduction and public education in the effort to fight Intellectual Property crime. Grants through the Economic, High-

Technology, Cybercrime Prevention program can continue this important purpose.

Like all Americans, we remain troubled by the increase of violent activity in our schools, and support efforts to continue the Comprehensive School Safety Initiative with \$75 million in FY15. School safety must be addressed through a sustained commitment nationally—both to reassure schools that they have a partner, and to reassure parents that work is being done to make their schools a safe place for their children. Though new, the initiative is a research-focused plan to increase the safety of schools nationwide. DOJ has just begun work to detail the root causes of school violence, develop technologies and strategies for increasing school safety, and provide pilot grants to test innovative approaches to enhance school safety across the Nation. Significant funding in FY15 will continue this commitment and realize the gains made in FY14.

School safety has been at the heart of NCPC's work for much of our history. Our signature Be Safe and Sound in School (B3S) initiative combines target hardening and Crime Prevention Through Environmental Design techniques with concrete ideas on engaging the school and surrounding community in activities to promote a culture of respect in schools. These techniques include participation by students, staff, parents, teachers and administrators in strategic planning for school safety; improved surveillance and maintenance; training; and ongoing evaluation.

Background

NCPC is a private, non-profit, tax-exempt 501(c)(3) organization, whose primary mission is to be the nation's leader in helping people keep themselves, their families, and their communities safe from crime. Through different media and methods, NCPC enables communities and law enforcement to work together to create safe environments, especially for children and youth.

Established in 1980 by officials from nine states, DOJ and other federal agencies, the Ad Council, and private philanthropists, the NCPC-led National Citizens' Crime Prevention Campaign and related initiatives have featured our beloved icon McGruff the Crime Dog® and his signature message that beckons all Americans to "Take a Bite Out of Crime.®"

McGruff has had lasting impact. 83 percent of adult Americans recognize McGruff. More than 80 percent of kids would follow his advice on crime prevention. Over 90 percent of adults describe McGruff as informative, trustworthy, and effective. And 72 percent think he's cool.

Further, federal resources invested in the National Citizens' Crime Prevention Campaign have been well leveraged. For every \$1 of federal investment, the Campaign generated \$100 or more in donated media. Over its history, the Campaign has produced \$1.4 billion worth of donated advertising.

Since the inception of the Campaign, NCPC has maintained a close partnership with DOJ and local law enforcement in creating cost-effective and award-winning public education campaigns, launching groundbreaking and comprehensive support initiatives for crime-besieged cities, providing training and technical assistance, producing and distributing hundreds of ready-to-use publications filled with practical tips, expanding the reach of crime prevention tools through online resources, conducting conferences, and more. Our goal is to give Americans the tools they need on the ground and in the field.

Supporting Crime Prevention Practitioners

To the greatest extent possible, NCPC designs messages and trains law enforcement, community leaders, and other individuals on crime prevention practices with proven outcomes based on the highest standards of research. NCPC's commitment to promoting the most effective crime prevention tools and messages is based on the organization's capacity to monitor crime prevention research and translate that research into practice.

With additional support from DOJ, NCPC provides National Training and Technical Assistance to address the nationwide gap in education opportunities for new law enforcement officers, which was a result of local department cuts in training and crime prevention budgets. NCPC has trained consultants and experienced law enforcement officers who, in turn, train their communities, thereby stretching this initiative's dollars and impact. NCPC has also recorded or released five podcast interviews with experts in the field on topics such as Neighborhood Watch and Citizen Corps, crime-free multi-housing, and what a crime prevention officer is worth.

Soon NCPC will develop a toolkit for new officers, which will include PowerPoint presentations, fact sheets, and resources on basic crime prevention. In 2013, we offered skill-building trainings on basic crime prevention in strategically selected regions across the country.

National Crime Prevention Activities

NCPC works closely with state and local law enforcement and their national organizations to anticipate and respond to persistent crime challenges, emerging crime trends, and the changing crime prevention needs of communities and states nationwide.

Through a Byrne Competitive grant, NCPC is working with DOJ and a number of other partners to conduct a crime prevention awareness campaign to address the dangerous and costly problem of intellectual property crime, such as pirating and counterfeiting. Our goal for the campaign is to engage the public in demand reduction and decrease threats to public health and safety. We are also working with law enforcement to bring the consequences of IP theft to the forefront for the public. Through focus groups and survey assessments NCPC uncovered that consumers do not expect to get caught. They do not believe that law enforcement is overly concerned about this problem because if law enforcement were concerned, the public would be more aware of the crime and subsequent IP prosecutions. In order to educate the public, we need to encourage and equip those officers and agencies who understand the impact to talk about IP investigations and arrests in the same way they would about a big drug bust or capture of a violent criminal.

We are also working on several other public education campaigns to help people protect themselves, particularly from fraud. In 2013, NCPC hosted a virtual conference for consumers and organizations that support them in avoiding and recovering from mortgage fraud. It provided valuable information to homeowners on how to protect themselves against mortgage scams. This complements our individual- and community-focused work on foreclosure fraud and vacant property crime. Its reach will soon be expanded through public service advertising.

Additionally, we are tailoring crime prevention information to the overlooked population of young people ages 18 to 24. As teens and young adults leave their homes to pursue education and employment for the first time they are often the victims of criminals and scams that prey on their inexperience. That is why we are developing programs to help these young people "Be Smarter," live safely and protect themselves as they handle their first credit cards, first

apartments, first cars, first college campuses, first vacations on their own, and first jobs.

On the other end of the spectrum, we are providing practical, ready-to-use resources on crimes against senior citizens. Senior citizens are vulnerable to telemarketing and financial fraud that threaten their financial stability. We are also educating the public on the underreported crime of elder abuse. An alarming number of senior citizens are physically, emotionally, sexually, or financially abused—frequently by people they trust. We are striving to ensure that people of all ages can speak out and act to prevent abuse and victimization and live in safe communities.

On April 10, we will hold a virtual conference to protect senior citizens from physical abuse and financial exploitation. For law enforcement and direct service organizations, this is also a wonderful opportunity to learn how to better serve the victims of such scams.

Four years ago, NCPC set out to work on a new crime prevention initiative that would “inspire us to live in ways that embody respect... where we live, learn, work, and play.” That is our vision for the Circle of Respect. Lack of respect contributes to school violence, property theft, online aggression, and cyberbullying among teens. Studies show that young people join gangs because it is the only place they get respect.

The Circle of Respect is a national initiative that engages and challenges children, young people, adults, families, and communities to promote a culture of respect that transcends what has been a traditional tolerance of unacceptable behavior. The Circle of Respect website will also host VOICES—a user-generated site for teens to speak about personal experiences of respect within their families, peers, and communities. We will use their submitted artwork, poetry, short stories, music, and films to guide development on respect-centered materials for other youth, service providers, and crime prevention practitioners.

Although the initial focus of the Circle of Respect is on cyberbullying and bullying, as the initiative expands we will address such crimes as gang violence, vandalism, child abuse, workplace violence, abuse and fraud aimed at seniors, dating violence, and substance abuse. As the circle expands from respect for self to respect in other aspects of our lives, we aim to reduce the opportunities for crime to occur.

These projects illustrate the breadth of NCPC’s work. Today, in addition to continuing our work on Lights, Locks, and Alarms, we also provide tips and tools on intellectual property crime, cyberbullying, and identity theft. We work with every demographic from young children to seniors. And we use every medium available to us—from training to Twitter—to educate crime prevention practitioners and the public about personal and community safety.

When McGruff and NCPC came on the scene almost 35 years ago, community groups and individual citizens thought that crime prevention was the sole responsibility of law enforcement. Working together with DOJ, local law enforcement, and communities all across the nation, we have “moved the needle” so that today, we know that crime prevention is everyone’s business. McGruff has carried the message that all people—whether they are 7 or 107—can do their part to prevent crime and make America safer. That’s what “Take A Bite Out of Crime” means. Three out of four adults now know they have a personal responsibility for helping to keep their communities safe from crime.

New forms of crime are growing, such as identity theft, mortgage and foreclosure fraud, and cybercrimes of every stripe. We must effectively deploy our tightening resources to combat crime. Crime extracts a significant financial cost—approximately \$3.2 trillion per year—borne by victims and their families, employers, communities, and taxpayers. In 2011, governments at all levels spent more than \$236 billion for police protection, correctional facilities, and legal and judicial costs—corrections alone costs \$81 billion annually.

In 2010 violent crimes (murder, rape, assault, and robbery) cost Americans \$42 billion. In 2011, consumers lost an estimated \$1.5 billion to fraud. There is also an unknowable opportunity cost both financial and social. We cannot afford these upwardly trending costs in today's economy.

Crime Prevention in Fiscal Year 2015

Common sense, therefore leads to the conclusion that investment in crime prevention has never been more critical. There is no doubt that when individuals, community groups, and businesses work closely with law enforcement to help keep watch over their communities, crime is prevented. In an era of tightening budgets, investment in prevention initiatives reduces the need for government spending on intervention, treatment, enforcement, and incarceration. Credible studies conclude that crime prevention initiatives are cost effective; we can pay modest costs now or exorbitant ones later.

Though most crime prevention activities are local, the federal government sets the tone by promoting crime prevention strategies that work. It provides leadership through funding, education, technical assistance, and support for state and local programs. Research and identification of what works, and translation and transmission of evidence-based best practices and lessons learned to and among the field require national leadership.

An appropriation of \$25 million in FY15 for the Byrne Competitive Grant program will provide continued resources to fund important crime prevention programs along with the other authorized criminal justice programs. The investment in national training, education, and technical assistance can help other law enforcement investments stretch further.

We also urge the Subcommittee to remain committed to the Economic, High-Technology, Cybercrime Prevention program with a \$15 million investment in FY15. DOJ and OJP are effectively working to address Intellectual Property crimes, particularly with regard to educating and engaging the public on the issue, and should be supported in their activities going forward.

Finally, we support continued investment in the Comprehensive School Safety Initiative. School safety is at the heart of NCPC's work. That is why we support the President's Budget request for \$75,000,000 for the Comprehensive School Safety Initiative and why we developed our signature Be Safe and Sound in School (B3S) initiative.

Thank you again for allowing NCPC to submit written testimony and for your ongoing commitment to state and local crime prevention programs. NCPC is proud to have worked with Congress, DOJ, state and local law enforcement and other agencies, and the private sector in the past, and we believe we can continue to be an effective partner going forward. As Congress continues its work to prevent crime, please consider NCPC and McGruff as a resource and as your active collaborators in building safer communities.

March 31, 2014

From: Patricia Harms, 814 S. Yaupon Terrace, Morehead City, NC
252-764-7354 patron7@ec.rr.com Resident of Morehead City, North Carolina,
concerned citizen, have no institutional affiliation with NOAA

To: The Subcommittee on Commerce, Justice, Science, and Related Agencies:

The Atlantic ocean off our East Coast is an irreplaceable treasure which requires our attention and care. The closure of the NOAA laboratory in Beaufort, North Carolina would be a tragic loss to the vital research it contributes on coastal and ocean issues. Please take this proposed closure out of the NOS budget.

I cannot believe siphoning off projects to non-agency scientists could have the value we have right here, right now. Do look at the quality research that has come from the Beaufort NOAA Laboratory. This lab is in an excellent location, the only lab between New Jersey and Florida, collaborating with Duke University, NC State, and UNC marine scientists. all of whom have facilities in Beaufort and Morehead City. They do work together which multiplies their value. With concerns over climate change and sea level rise, it would seem of even more importance to support NOAA in its present location. Hurricanes and weather related issues are also of great concern to our maritime and coastal areas. A number of ventures proposed off our coast such as sonic testing, oil exploration, and wind turbines will require monitoring of their effects on the ocean and its inhabitants. I would expect NOAA to be necessary to these and other possible changes in the ocean and in the estuaries

It is true that we have tourism and beaches, but marine science is of great importance to our economy as well. Residents and tourists are very attuned to the work of marine scientists in the area. Volunteers walk the beaches to spot sea turtle nest sites, our citizens know that their observations of the ocean and sea life are important. We also have the Pine Knoll Shoals aquarium, a renowned Maritime Museum in Beaufort, the Rachel Carson reserve, and the Beasley Sea Turtle Hospital nearby, which relies on NOAA and other marine science institutions here. Both commercial and recreational fishermen also depend on NOAA. It has been averred that maintaining the lab would require too much in infrastructure costs, but according to more recent appraisals this is not the case. There is an 2014 engineering report listing improvements that have been made. The loss of the NOAA lab in Beaufort would be a serious blow to the area and to the country.

The NOAA lab in Beaufort should be supported and expanded, not removed.

Sincerely,
Mrs. Patricia Harms

Daniel Hayes
Department of Fisheries and Wildlife
Michigan State University
East Lansing, MI 48823

Dear Appropriations Committee,

I am writing this letter specifically to discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I strongly encourage the committees to strike the proposed closure of NOAA's Beaufort Laboratory from the NOS budget based on the following considerations. I want to emphasize that my view on this is based on my perspective as a scientist and not on the economic impact to me or even my region of the country.

The network of research laboratories supporting the National Marine Fisheries Service's responsibilities for resource stewardship is a critical link in maintaining seafood security throughout the United States. The monitoring and research programs conducted from these labs are essential in determining how many fish we can safely harvest. Without the oversight from these labs, there is a huge risk of overharvesting, leading to substantial negative economic consequences to the fishing industry and related food industries. In particular, the Beaufort Lab is geographically located in a critical region of the eastern seaboard – an area rich in fishing and fisheries research traditions. Many outstanding fisheries scientists have been trained or served their careers while at the Beaufort Lab, and I view it as one of the centers of excellence within the outstanding work that the National Marine Fisheries Service does.

I recognize that the process of developing the federal budget is difficult and extremely challenging given our country's fiscal constraints. I hope you consider all pertinent factors in this decision, not only in the short term, but in the long term.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Hayes".

Daniel Hayes, Ph.D.
Professor of Fisheries and Wildlife

Kaitlin Heenehan
 Program Support
 University of Connecticut

House Committee on Appropriations
 Subcommittee on Commerce, Justice, Science, and Related Agencies
 RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

I am writing to share my strong opposition to the President's FY 2015 budget proposal which includes the closure of the NOAA NOS/NMFS lab in Beaufort, North Carolina. I ask that the subcommittee consider the impact of this closure (as outlined below and as showcased in the various articles published since this proposal) and reinstate funding for this vital resource. This lab is a vital part of the local, national, and international marine science community and provides important research and information for sustaining fisheries and coastal ecosystems of the Mid- and South-Atlantic, and to U.S territories in the Caribbean Sea.

The NOAA Beaufort Laboratory is a prime location and provides the only federal access to the most diverse marine ecosystem in the United States. Closure of this laboratory would mean that 20,693 miles of the tidal shoreline would be without a NOAA research laboratory between Miami, Florida and Sandy Hook, NJ.

NOAA Beaufort has 108 employees, including a number of nationally and internationally known scientists from both NOAA NOS and NMFS. These scientists provide research and support for some of the largest environment issues, including invasive species, harmful algal blooms, aquaculture, essential habitat monitoring, oil spill recovery and restoration, etc. Approximately 50 of these employees are contract employees, not considered "full-time" although their work is often that and more, so they would not be guaranteed relocation to other laboratories.

The facility is also in partnership with local, regional, and international organizations; these collaborative relationships would be ruined if the facility was closed. For example, proximity to the Duke University Marine Lab and the UNC Institute of Marine Sciences ensures collaborative relationships between employees and even more groundbreaking research that benefits the nation and the vital ocean resources along our coasts and particularly in this vital ecological region. Partnerships with higher education institutions are just one example, but they are critical to the work that NOAA is tasked with on a daily basis.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at THIS location. Moreover, it would be counterproductive to close down this lab when it is already implementing National Ocean Policy by utilizing an ecosystem-based approach to produce the best science and data that strengthens regional efforts through collaboration. I therefore urge you to please restore funding for the important federal laboratory.

Sincerely,

Kaitlin Heenehan
Kaitlinheenehan@gmail.com

Note: I am writing as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity, nor am I speaking on behalf of my institution (affiliation stated at top as required). My experience working for NOAA in the past and my knowledge of the important work completed by the employees at this lab informs my passion for this topic but in no way speaks for the organization or on behalf of others.

Statement of the Institute of Makers of Explosives

Submitted by

Cynthia Hilton

Executive Vice President

chilton@ime.org

For the Subcommittee on Commerce, Justice, Science and Related Agencies
U.S. House of Representatives

FY 2015 DOJ Budget Request for the Bureau of Alcohol, Tobacco, Firearms and Explosives

Interest of the IME

IME is a nonprofit association founded over century ago to provide accurate information and comprehensive recommendations concerning the safety and security of commercial explosive materials. IME represents U.S. manufacturers, distributors and motor carriers of commercial explosive materials and oxidizers as well as other companies that provide related services. The majority of IME members are “small businesses” as determined by the U.S. Small Business Administration.

Millions of metric tons of high explosives, blasting agents, and oxidizers are consumed annually in the United States. These materials are essential to the U.S. economy. Energy production, construction, and other specialized applications begin with the use of commercial explosives. IME member companies produce ninety-nine percent of these commodities. These products are used in every state and are distributed worldwide. The ability to manufacture, distribute and use these products safely and securely is critical to this industry.

Commercial explosives are highly regulated by a myriad of federal and state agencies. ATF plays a predominant role in assuring that explosives are identified, tracked, purchased, and stored only by authorized persons. We offer the following comments to give perspective about the need to ensure that the ATF has sufficient funds to carry out its mission to ensure that commercial explosives are not misappropriated for criminal or terrorist purposes.

ATF's Explosives Regulatory Program

The Administration's FY 2015 budget request envisions a current services appropriation for explosives industry operations. We understand the current pressure to reduce the federal budget deficit. We understand the shared sacrifice that all segments of the government are being asked to make to help the economy recover by spurring job growth and investment. We also understand the public attention to other programmatic responsibilities of ATF, and the attendant pressure to divert resources to shouldering these responsibilities. However, the success of the Bureau's explosives industry programs in preventing the misappropriation of commercial explosives should not be used against us. ATF needs to retain a cadre of trained personnel to perform services needed by our industry. The commerce of explosives is so closely regulated that failure to provide adequate personnel and resources hurts our industry, our customers, and the U.S. economy.

By law, ATF must inspect over 11,000 explosives licensees and permittees at least once every three years and conduct background checks of so-called “employee possessors” of explosives

and “responsible persons.”¹ ATF estimates that the requirement to inspect 100 percent of the licensees and permittees within their three-year license/permit cycle consumes between 25 percent and 41 percent of available inspector resources in any given year.

Unfortunately, ATF’s FY 2015 budget submission does not provide retrospective workload indicators such as the number of compliance inspections that were accomplished, the number of public safety violations, and what those violations were in FY 2013. This data have been provided in prior budget submissions. In FY 2014, ATF reported that, during FY 2012, it:

- Conducted 5,390 explosives licensee and permittee compliance inspections that identified and corrected 1,528 public safety violations;
- Completed 1,249 Federal Explosive License (FEL) applicant inspections;
- Processed 4,222 FEL applications (new & renewal);
- Completed 77,965 explosives employee/possessor background checks; and,
- Completed 12,188 explosives responsible persons background checks.²

We are certain that the Subcommittee appreciates the need for annual reporting of these workload indicators to establish trend-lines that may point to new resource needs or reallocation and whether or not new safety concerns are being recognized. For example, we are very interested in understanding what public safety violations were found in past inspections. This data helps us to determine whether we need to enhance our industry best practices. Looking at ATF’s FY 2013 and 2014 budget submissions, the Bureau identified 1,392 public safety violations during FY 2011³, and, as noted above, during FY 2012, this number rose to 1,528. The Subcommittee should direct ATF to consistently report this data in future budget submissions.

ATF did report that, in 2011, it met its statutory responsibilities 95.8 percent of the time, and in 2012, 105.7 percent of the time. However, in 2013, this performance rate fell to 88.2 percent. With the budget agreement enacted earlier this year, ATF estimates that its productivity will increase to 92 percent in 2014 and has set a target of 94 percent in 2015, which, while it represents an improvement over the 2013 number, is still not optimum.⁴ When ATF is unable to meet its responsibilities, there cannot help but be adverse impacts on our industry. Without approved licenses and permits from ATF, our industry cannot conduct business. Delays in servicing the needs of our industry may lead to disruptions in other segments of the economy that are dependent on the products and materials we provide.

One of the key workload indicators is the number of background checks performed. One component of the background investigation is whether any of our employees have terrorist ties. To make that determination, ATF submits names to the FBI to be run against the Terrorist Screening Database (TSDB). Currently, ATF does not follow the common practice of other federal agencies with vetting programs which allow them to re-vet names at will. Rather, the agency runs the names in association with applications for new or renewal of “FELs” or federal explosives permits. Because ATF does not follow common practice to re-vet names when information on the TSDB changes, ATF’s vetting program is not deemed equivalent to the vetting and clearance procedures used by other agencies. Harmonizing the vetting and clearance procedures of ATF with those used by these other programs will increase opportunities to see

¹ FY 2015 ATF Budget Submission, page 15.

² FY 2014 ATF Budget Submission, page 26.

³ FY 2013 ATF Budget Submission, page 42.

⁴ FY 2015 ATF Budget Submission, page 18.

that ATF's vetting program is reciprocally recognized by these programs. This outcome would add intelligence value to all government vetting programs sharing the same platform, and provide savings to the federal government and the regulated community. We urge the Subcommittee to encourage ATF to enhance its vetting procedures.

As the Subcommittee considers ATF's budget request, we ask that the Bureau's ability to perform its regulatory oversight of the explosives industry in a timely fashion not be compromised in the push for fiscal discipline and that it be given the resources to preform to current state-of-the-art oversight practices.

ATF's Regulatory Workload

Since 2003 when ATF was transferred to the Department of Justice, the agency has issued eight rulemakings of importance to IME, including two which were interim final rules. It has finalized three, withdrawn two, merged two, and docketed but not published three. Of the four rulemakings still pending, one is an interim final rule which dates to 2003. In the absence of a process to ensure timely rulemaking that is capable of keeping up with new developments and safety practices, industry must rely on interpretive guidance and variances based on outdated requirements in order to conduct business. While we greatly appreciate the Bureau's accommodations, these stop-gap measures do not afford the surety, continuity and protections that rulemaking would provide the regulated community, nor do they allow the oversight necessary to ensure that all parties are being held to the same standard of compliance. These regulatory tasks are critical to the lawful conduct of the commercial enterprises that the Bureau controls. ATF should be provided the resources needed to make timely progress in this area.

ATF is also a key member of the Interagency Working Group (IWG) convened under Executive Order (EO) 13650.⁵ The EO tasked the IWG with identifying options to improve chemical security and safety, after the tragic accidental explosion involving ammonium nitrate in West, TX as well as other recent industrial chemical accidents. Earlier this year, the IWG presented options for stakeholder comment.⁶ Among these options, several pertain to ATF.

- ATF asks whether it should close the regulatory gap surrounding black and smokeless powder. An examination of information from the Bomb Data Center (BDC) on the type and frequency of fillers used in bombings and attempted bombing would support closing this regulatory gap. It makes little sense to impose stringent controls on the explosives industry only to allow a consumer exemption that can be exploited by those with criminal or terrorist intent.
- The IWG also asks about updating its regulatory requirements for physical security at magazines. IME supports ATF's consideration of the adequacy of current locking standards,⁷ and supports the development of a rule on magazine key control. IME is ready to assist in any other research projects to help achieve our common goal of ensuring magazine integrity and security.

⁵ <http://www.whitehouse.gov/the-press-office/2013/08/01/executive-order-improving-chemical-facility-safety-and-security>.

⁶ https://www.osha.gov/chemicalexecutiveorder/Section_6ai_Options_List.html.

⁷ A study on this topic was conducted by an IME member company, and the results were reported at an IME meeting where ATF officials were in attendance.

- The EO also directs ATF to determine the feasibility of sharing information with states and localities. While we oppose the sharing of security-sensitive information about explosives in public forums, we do support enhancing communications with local emergency responders. Specifically, we support augmenting the frequency of FEL reporting to local fire safety authorities of the type, capacity, and location of magazines where explosives are stored. We believe FELs should notify authorities at least once a year. Current rules require a one-time notification.⁸

Each of these options, if pursued, would add to ATF's regulatory workload. ATF should have the resources to keep its regulations up to date.

ATF-Industry Partnership

The BDC is the sole repository for explosives-related incident data, and contains information on thousands of explosives incidents investigated by ATF and other Federal, state, and local law enforcement agencies. While this data helps government entities to perform trend analysis and to compare incidents for similarities and crime methodologies, BDC data also helps industry in our efforts to refresh and update best practice recommendations. Until 2006, this data was routinely provided to industry stakeholders. We are pleased to report that after an eight-year hiatus, ATF has again provided the regulated community with key data on bomb and improvised device fillers, as well as information on thefts, losses and recoveries categorized by the type and amount of explosives involved. The data also indicates the point in the supply chain where the reported thefts and losses occurred. ATF has committed to releasing this data on an annual basis and it needs the resources to continue this important service.

Explosives manufacturers and importers are required to mark products with codes to aid law enforcement agencies in the U.S. and in foreign countries in the tracing of these materials if they are lost or stolen. Explosives manufacturers and importers and others in the global supply chain cooperate in tracing efforts. However, more and more government entities are imposing their own unique system of identification marks without reciprocally recognizing each other's marks. These redundant and competing marks are creating non-tariff barriers to trade. We have petitioned the United Nations to help develop a harmonized marking scheme and expect this issue to be considered by the international community at meetings in July 2014. We have asked ATF to join with us in working to harmonize a global marking standard.

Since 2003, ATF, with our support, has required background checks of persons authorized to possess explosives. While, as noted above, this background check includes vetting against the TSDB, being named on the database does not disqualify individuals from possessing explosives. We think this is an oversight. The late-Senator Frank Lautenberg and Representative Peter King introduced legislation, S. 34 and H.R. 720, respectively, to close this glaring security gap in the federal explosives law. This legislative change, advocated by both Presidents Bush and Obama, will better harmonize the vetting and clearance procedures used by the ATF with other government agencies that perform security threat assessments of individuals seeking to engage in security-sensitive activities. As these standards are harmonized, opportunities to leverage other vetting programs and security credentials increase. This outcome would add intelligence value to all government vetting programs sharing the same platform, and provide savings to the federal government and the regulated community.

⁸ 27 CFR 555.210(f).

Each of these collaborative initiatives require resources. We request that the Bureau be given the requisite funds to advance these initiatives.

Industry Standards

We take seriously the statutory obligation that ATF take into account industry's standards of safety when issuing rules and requirements.⁹ We continue to fulfill this obligation through our development of industry best practices for safety and security, membership in relevant standard-setting organizations, and active participation in forums for training. We have offered to ATF recommendations that we believe will enhance safety and security through our participation in the rulemaking process, in the Bureau's important research efforts, and in other standard-setting activities.

In this regard, IME has spent years developing a credible alternative to strict interpretation of quantity distance tables used to determine safe setback distances from explosives. IME continues to collaborate in this effort with the Department of Defense Explosives Safety Board as well as Canadian and U.S. regulatory agencies, including ATF. The result is a windows-based computer model for assessing the risk from a variety of commercial explosives activities called IMESAFR.¹⁰ ATF and other regulatory agencies are recognizing the value of IMESAFR and have participated in development meetings for Version 2.0. ATF is also evaluating existing licensed locations with this risk-based approach and has agreed to accept variance requests based on IMESAFR evaluations. These efforts are vital if ATF is to remain on the forefront of technologies designed to safeguard the public. We welcome and strongly encourage ATF's continued support of this project. The benefits of risk-based modeling should continue to be recognized by ATF and resources should be provided to develop policies that allow the use of such models to meet regulatory mandates.

Conclusion

The manufacture and distribution of explosives is accomplished with a remarkable degree of safety and security. We recognize the critical role ATF plays in helping our industry achieve and maintain safe and secure workplaces. Industry and the public are dependent on ATF having adequate resources to fulfill its regulatory responsibilities. It is up to Congress and, in particular, this Subcommittee to ensure that ATF has the resources it needs. We strongly recommend full funding for ATF's explosives program.

March 30, 2014

⁹ 18 U.S.C. 842(j).

¹⁰ IMESAFR was built on the DDESB's software model, SAFER. The DDESB currently uses SAFER and table-of-distance methods to approve or disapprove Department of Defense explosives activities. Not only can IMESAFR determine the amount of risk presented, but it can also determine what factors drive the overall risk and what actions would lower risk, if necessary. The probability of events for the activities were based on the last 20 years of experience in the U.S. and Canada and can be adjusted to account for different explosive sensitivities, additional security threats, and other factors that increase or decrease the base value.



**National Weather Service
Employees Organization**

**Written Testimony for the Record of
Richard J. Hirn
General Counsel and Legislative Director
National Weather Service Employees Organization
Before the House Committee on Appropriations
Subcommittee on Commerce, Justice, Science and Related Agencies
March 25, 2014**

Despite the increasing frequency of severe weather and its corresponding impact on the nation's safety and economy, the President's budget for the National Weather Service contains shocking reductions that total \$54 million – representing 5% of the agency's budget – and more than the reductions required by the FY '13 sequestration decreed by the Administration. Even the agency's own Congressional Submission concedes that a number of these reductions will endanger the public and impede the agency's ability to continue or improve services.

There are two reductions of primary concern to NWSEO: the failure to fully fund anticipated inflationary increases and the elimination of the Information Technology Officers at each of the nation's 122 Weather Forecast Offices.

According to the Congressional Submission, the NWS's base includes \$18,678,000 "to account for the **full funding requirement for inflationary adjustments** to current programs," including the estimated 1% Federal employee pay raise, as well as inflationary increases for non-labor activities such as service contract and rental increases. However, the PB "only includes an increase of \$9,908,000 to cover these costs" and the NWS will ostensibly offset \$8,770,000 of its inflationary costs through other unspecified "program management efficiencies." Congressional Submission, p. NWS-5. The NWS's failure to request full funding in prior years resulted in unauthorized reprogramming and the removal and retirement of senior NWS officials. The failure to request full funding of anticipated inflationary increases will place the NWS back in the position it was in both FY '12 and FY '13 when it was required to request reprogramming in order to avoid furloughs and interruptions in services.

Congress has repeatedly rejected the agency's proposal to eliminate the **Information Technology Officers**. As the Senate Appropriations Committee has observed, the "IT staff have proven to be valuable parts of the local weather forecast teams." The ITOs routinely restore failed local systems in time critical manner during

severe weather events, in addition to developing local applications tailored to local climatology and service needs.

For example, the NWS's preliminary Service Assessment of its response to the May 2013 Moore, Oklahoma tornado noted that a local application developed by the ITO at the Norman Forecast Office was critical to FEMA's efforts:

WFO Norman produced GIS [graphical information systems] products showing a preliminary estimate of the likely tornado track, which the office made available while the tornado was in progress in Moore, OK. Meteorologist in Charge (MIC), serving as the radar interpreter, worked with the Information Technology Officer (ITO) to use a prototype local application on AWIPS II, the AWIPS's next-generation software, to generate the GIS files on AWIPS. The GIS files were emailed to the EMs in affected regions and to the Southern Region Regional Operations Center (SR ROC) and posted on social media. WFO Norman used all available radar data and other information to draw potential damage paths. The local application allowed the meteorologists to select points, scan-by-scan, to identify where a tornado was located. This process includes forecaster interpretation in the analysis loop and is different and separate from the rotation tracks products available from the National Severe Storms Laboratory (NSSL). The Federal Emergency Management Agency (FEMA) Director noted these products are "extremely valuable" when integrated into FEMA's GIS applications. These preliminary tracks allowed FEMA to identify the impacted areas and determine resources that might be needed for the recovery as much as 3–4 hours before resources were requested. . .

These GIS products saved FEMA 3–4 hours of response time and helped FEMA staff determine the need for additional urban search and rescue teams before local EMs formally requested this assistance.

Service Assessment: May 2013 Oklahoma Tornadoes and Flash Flooding, pp. 8-9 (NWS, January 2014). In contrast, the NWS's service assessment of its response to Hurricane/Post-Tropical Cyclone Sandy (p. 44) found that the agency's decision support services ("DSS") was impaired because the ITO position at the New York Forecast Office was vacant:

Another critical position that was vacant was the Information Technology Officer (ITO) at WFO Upton, an office severely impacted by the storm. Historically, the ITO at WFO Upton plays an integral role in a number of unique, high-visibility DSS initiatives. These include DSS projects tailored to meeting the diverse needs of NYCOEM, such as visualization and forecasting tools depicting tropical storm wind speeds at skyscraper heights, and a graphical, color-coded weather hazards briefing sheet. The ITO vacancy meant the WFO could not provide these products.

The Congressional Submission makes the unsubstantiated and absurd claim that 24 regional IT specialists can “replicate the service currently provided by [122] on-site ITOs . . . that meets or exceeds current service levels.” (p. NWS-33). The Congressional Submission also claims that “the current service delivery model has redundancies” but fails to identify a single one.

The NWS is currently installing and activating the AWIPS 2 forecasting system software around the country. AWIPS 2 is problem-plagued and has been installed at only 24 forecast offices to date, and the agency does not expect to complete installation before the end of FY '15. ITOs at those WFOs that have already installed AWIPS 2 have devoted full time to this project for the two months prior to and one month following installation. Under the NWS's AWIPS 2 Activation Policy (negotiated with NWSEO), there must be a trained ITO on station for installation. Defunding the ITO position for FY '15 will bring the installation of AWIPS 2 to a halt.

Ironically, on March 10, NWS Director Uccellini sent an email to all NWS employees notifying them that the agency was recruiting to fill 16 vacant ITO positions:

In the FY 2014 Omnibus, Congress instructed the NWS to fill the Information Technology Officer (ITO) vacancies at our local Weather Forecast Offices. We are pleased to announce the opening of a recruitment action to fill 16 ITOs. Please see the following links to those positions as they appear on USA Jobs.

If the agency proposal to eliminate funding for these positions is approved, the NWS will be required to RIF these 16 new hires by September 30, 2014, shortly after being hired.

The agency has requested \$3 million to conduct “baseline analyses” of the NWS workforce as a predicate to “restructure current NWS resources.” These will include “assessment of adequacy of protections against degradation of service.” Congressional Submission, pp. NWS-48, 49. The NWS should not be conducting structural changes and workforce reconfiguration, such as IT consolidation, until such analyses are completed.

While other proposed reductions do not directly jeopardize the employment security of the NWS workforce, they will deprive NWS employees and local communities of the tools they need to protect the American public. These include a \$6.5 million reduction for the **National Mesonet Network**; a \$4 million reduction in **Advanced Hydrologic Prediction Services**; and a \$6 million reduction in **Tsunami Hazard Mitigation Program** Grants that would eliminate local education, awareness, and inundation and evacuation map development.

The agency's Congressional Submission itself describes the damage that would be caused by four additional reductions it seeks. The agency has proposed a \$9 million reduction in funding for the **Next Generation Air Transportation System Weather Program**. According to the Submission:

This funding decrease suspends most long lead time weather research and development efforts, including research to improve aviation parameter forecasts, applications to monitor and improve automatically generated forecast products, ensemble and probabilistic model development for aviation parameters . . .

A reduction to the NextGen Weather Program introduces operational and safety risks to this multi-agency Presidential Initiative. A slowed investment means that there will be less improvement in the accuracy, timeliness and consistency of weather products affecting air travel delays and safety and efficiency in the National Airspace System.

pp. NWS-42, 43.

Similarly, the agency also concedes that its proposal to reduce funding for the **Hurricane Forecast Improvement Project** by \$8.2 million will halt progress made in improving hurricane track and intensity forecasting and protecting those in harm's way:

Reduction to HFIP introduces risk to NOAA's efforts to improve regional and global weather models, as well as data assimilation techniques. Populations in vulnerable coastal regions of the United States will not benefit from improved guidance leading to continued over warning resulting in unnecessary, costly evacuations. Strategic partnerships with interagency and academic partners will be significantly scaled back or terminated risking the reputation of NOAA to be a contributing member of this research community.

Congressional Submission, p. NWS-58.

The PB proposes a \$1.5 million reduction that would "slow **Advanced Weather Interactive Processing System Service** Improvements." As a result of this reduction, the NWS will defer implementation of the AWIPS "Weather Event Simulator" from FY '15 to FY '17, even though this "comprehensive training capability, will enable NWS forecasters to develop and sustain AWIPS' product and service dissemination skills" and "will also allow forecasters to more effectively utilize new Weather-Ready Nation capabilities as they are added to the AWIPS infrastructure." In addition:

A reduction to AWIPS will delay future development work associated with new tools and capabilities aimed at improved decision support services to transform NWS' service delivery functions. NWS will be limited in providing

future tools and capabilities which meteorologists/hydrologists use in situational awareness for warning/forecast preparation to better align with the emerging needs of a Weather-Ready Nation. The development of robust, efficient service backup capabilities to support local needs as well as COOP activities will also be deferred.

Congressional Submission, p. NWS-78.

Finally, the agency has proposed to reduce funding for **repairs at Weather Forecast Offices and River Forecast Centers** by \$2.4 million, despite “unacceptable conditions at leased facilities that could impact operations. . . Today, four of these leased facilities face a multitude of issues making them unsustainable for continued operations.” Congressional Submission, p. NWS-93.

NWSEO notes that the PB has proposed additional funds for NEXRAD service life extension, upgrades to IT infrastructure, re-architected Telecommunications Gateway, and relocation of the National Logistics Supply Center and National Reconditioning Center. These expenses do not represent new initiatives or service improvements, but rather delayed maintenance or upgrades or replacements to outdated facilities that should have been funded or addressed years ago. As such, they do not represent an investment in the future but rather are evidence of long-term neglect.

**Testimony on behalf of the
Population Association of America/ Association of Population Centers
Regarding the Fiscal Year 2015 Appropriations for the Census Bureau, National
Science Foundation and Bureau of Economic Analysis**

Submitted to the
House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
The Honorable Frank Wolf, Chair and
The Honorable Chaka Fattah, Ranking Member
Submitted By: Mary Jo Hoeksema, Director, Government Affairs
Population Association of America/Association of Population Centers
202-341-7283, paaapc@crosslink.net

Thank you, Chairman Wolf, Ranking Member Fattah, and other distinguished members of the Subcommittee, for this opportunity to express support for the Census Bureau, the National Science Foundation (NSF), and the Bureau of Economic Analysis (BEA). These agencies, which are under your Subcommittee's jurisdiction, are important to the Population Association of America (PAA) and Association of Population Centers (APC), because they provide direct and indirect support to population scientists and the field of population, or demographic, research overall. In FY 2015, we urge the Subcommittee to adopt the following funding recommendations: Census Bureau, \$1.2 billion, consistent with the Administration's request; National Science Foundation (NSF), \$7.5 billion, consistent with the Coalition for National Science Funding request; and, Bureau of Economic Analysis, \$107 million, consistent with the Administration's request.

The PAA and APC are two affiliated organizations that together represent almost 4,000 social and behavioral scientists and almost 40 population research centers nationwide that conduct research on the implications of population change. Our members, which include demographers, economists, sociologists, and statisticians, conduct scientific research, analyze changing demographic and socio-economic trends, develop policy

recommendations, and train undergraduate and graduate students. Their research expertise covers a wide range of issues, including adolescent health and development, aging, health disparities, immigration and migration, marriage and divorce, education, social networks, housing, retirement, and labor. Population scientists compete for funding from the NSF and rely on data produced by the nation's statistical agencies, including the Census Bureau and BEA, to support their research activities.

The Census Bureau

The Census Bureau is the premier source of demographic, socio-economic, and housing data about our nation. While PAA/APC members have diverse research expertise, they share a common need for access to accurate, timely data about the nation's changing socio-economic and demographic characteristics that only the U.S. Census Bureau can provide through its conduct of the decennial census, American Community Survey (ACS), and a variety of other surveys and programs.

We recognize that the FY 2015 request is \$270 million more than the agency's FY 2014 funding level. However, as you know, the Census Bureau's budget is cyclical, and FY2015 is a pivotal year in the 2020 Census planning cycle. The Census Bureau must complete primary research and select a design framework in order to develop and integrate new, cost-saving initiatives. The Administration's request is a wise investment in promising new enumeration methods that will save the taxpayer billions of dollars in overall census costs. Recent funding shortfalls and sequestration have caused delays, cutbacks, or elimination of numerous research projects and tests for the 2020 Census,

which heightens the risk of future methodological and operational failures, and cost overruns. The agency needs a funding “ramp up” next year to continue critical research and testing and to develop new technologies for a cost-efficient and accurate 2020 Census. In FY 2015, the agency will incorporate the results of its early research and development activities into major design decisions that will guide infrastructure and operational development in the next phase of the planning cycle.

The Administration’s request covers other statistical activities that are vital to the nation’s fiscal and social health and economic growth. For example, in FY 2015, the Census Bureau will tabulate and publish final data products from the 2012 Economic Census (completing the six-year cycle for this essential benchmark survey) and begin planning for the 2017 Economic Census; re-engineer and improve field operations for all household surveys; and complete a comprehensive review of ACS content and operations, in preparation for a national test in 2016.

National Science Foundation (NSF)

The mission of NSF is to promote the progress of science; to advance the national health, prosperity, and welfare; and to secure the national defense. Understanding the implications of population change is central to these tenants of the agency’s mission. The Directorate of Social, Behavioral and Economic (SBE) Sciences is the primary source of support for the population sciences within the NSF. The Directorate funds critical large-scale longitudinal surveys, such as the Panel Study of Income Dynamics, that inform pressing policy decisions and enable policy makers to make efficient

decisions. Other projects, such as the Social Observatory Coordinating Network, integrate social science and health research, linking community and national data to improve population health.

NSF is the funding source for over 20 percent of all federally supported basic research conducted by America's colleges and universities, including basic behavioral and social research. SBE funds more than half of the university-based social and behavioral sciences research in the nation.

PAA and APC, as members of the Coalition for National Science Funding, request that the committee provide the NSF with \$7.5 billion. This budget will enable the NSF SBE Directorate to continue its support of social science surveys and a rich portfolio of population research projects. Furthermore, this funding will enable NSF to continue funding the most promising grant applications that promote transformational and multidisciplinary research. Finally, steady and sustainable real growth will enhance the nation's capability to make new discoveries, leading to new innovations.

Bureau of Economic Analysis (BEA)

While a relatively small agency, the BEA is enormously important to understanding our multit trillion dollar economy. BEA data are appreciated by a diverse range of data users: Federal, state and local government officials rely on BEA data to inform economic and fiscal policy; businesses use BEA data to guide investment decisions; and scientists use BEA data to understand and interpret trends in labor, employment, and national and

international economies. Despite its importance, since FY 2010, the BEA budget has not kept pace with inflation. The PAA and APC join other national organizations to urge the Subcommittee to provide with BEA with \$107 million in FY 2015. This funding is necessary to both restore the agency's purchasing power and to launch new innovations, including "Big Data for Small Business," which would create a new Small Business GDP measure.

Thank you for considering our requests and for supporting federal programs that benefit the population sciences.

I am writing to encourage this committee to not close the Beaufort, NC, NOAA Laboratory. I have lived in this area for over 40 years and recognize the economic and educational value of the many marine labs in our rural area. The synergy provided by these institutions all being within a few miles of each other provides “a whole which is greater than the sum of its parts”. We have the following University/college Marine labs: UNC-Institute of Marine Sciences, NCSU Center for Marine Sciences, Duke University Marine Lab and School of the Environment, and our local community college which has a relevant program on Aquaculture Technology. We also have the following governmental marine labs: NC Division of Marine Fisheries Lab, National Marine Fisheries Lab, NC Shellfish Sanitation Lab, and the NOAA lab (which has been in place for nearly 100 years!).

The NOAA Lab is housed on Piver’s Island along with Duke University and the National Marine Fisheries Lab. The NOAA Lab just built a new facility a few years back and currently has \$2 million dollars invested in a new shoreline stabilization project which will take place this spring. Why would the appropriations committee close a facility that is obviously investing for the long haul?

We are a poor county and losing a facility that employs about 100 well paid citizens would be felt as a definite financial/economic loss to our county.

Thanks for your consideration of our concerns.

Sincerely,

Penny and Mark Hooper

Hooper Family Seafood

POBox 186, Smyrna, NC, 28579

Dr. Donald E. Hoss
 29 March 20 14
 118 Straits Haven Rd.
 Beaufort, NC 28516

House Committee on appropriations
 Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Beaufort NC Laboratory

Dear Members of the Subcommittee;

My name is Don Hoss and I am writing this letter to strongly oppose the request by NOAA/ NOS to close the NOAA NOS/NMFS laboratory in Beaufort, North Carolina (NOAA FY Budget Summary, Page 8, paragraph 3) because of the long term cost of maintaining the facility. I was employed at the Beaufort Laboratory from 1958 until my retirement in 2002. I spent my last years as Director of the Laboratory, so I am familiar with the physical condition of the facility. I also know of its importance to the marine science community and the local and national community in general. The Beaufort Laboratory is the second oldest Federal Fisheries Laboratory in the United States dating to 1899. It was located at Beaufort because of the unique marine and estuarine ecosystem adjacent to the North Carolina coast. It is recognized as one of the most respected fisheries laboratories in this country, and in countries around the world, for the quality of its research on marine issues that affect the economy of sport and commercial fisheries, and the health of the marine waters of the United States.

Statements have been made that this “aging facility” requires infrastructure repairs and improvements exceeding agency budget. Nothing could be further from the truth. The fact that the Beaufort Laboratory is the second oldest federal fisheries laboratory in the country does not mean that it is operating out of a 19th century facility. I believe I am correct in stating that only one building on the facility dates to the late 1950’s and it has had many renovations over the years. In 1963 a new two story laboratory was built and it was completely renovated in 1993-94. In recent years NOAA has invested approximately \$14 million in new construction and renovations at the laboratory. A new Administration building has been constructed with space for the NC National Estuarine Research Reserve Program. The bridge to Pivers Island (cost shared with Duke Marine Laboratory) has been replaced and a new chemical storage building has been built. Other improvements include air conditioning/air handler replacement and mold abatement as well as seawall repair, electrical upgrade and State of NC funded storm water control. An updated engineering report in 2014 documents that the Beaufort facility is NOT structurally unsound.

In their closure request the National Ocean Service understated the number of Beaufort Laboratory employees that would be affected and the effect that it would have on them. They did not account for the more than 40 National Marine Fisheries Service staff or the 8 staff members of the North Carolina National Estuarine Research Reserve,

also located at the facility. The current staffing at the Laboratory is as follows: 70 full time federal employees (39 National Marine Fisheries and 31 National Ocean Service staff); 32.5 contract positions (full and part time); and 6 NC NEERs staff. NOS states that all full time employees will be offered other positions so that none will lose their jobs. This is of little comfort to the contract employees, some of whom have worked at the facility for over 10 years. It is also not true (based on past experience) that all of the permanent employees will be able to move to other locations (due to various family matters) and, therefore, they will lose their jobs.

It is ironic that while the National Ocean Service, NOAA is calling for the closure of one of the most respected NOAA scientific laboratories in the country it is, at the same time, requesting an increase of \$4M to another center (located in a more expensive region and in a non coastal area) to support the same type of research in which the Beaufort Laboratory is a recognized leader (see budget summary, page 8, paragraph1).

In its 100 plus years the Beaufort Laboratory has established an extraordinary record for scientific excellence in its research in critical problems related to the public concern for coastal and ocean issues. This includes, but is not limited to, fisheries stock assessment (i.e. reef fish and menhaden), species distribution and life history, hypoxia, marine mammals and sea turtles, critical habitat evaluation, pollution effects (including oil spills) and harmful algal blooms to name a few.

NOAA has repeatedly recognized the laboratory, research teams and individual researchers for the outstanding quality of their work. It is hard to understand why NOAA would request an increase in funding for research in many of the above areas in FY 2015 and then propose to close the Beaufort Laboratory, the very laboratory best positioned to do this research.

I urge you to reject the proposed closure of the NOAA Beaufort Laboratory. Should you have additional questions I would be more than happy to address them.

Sincerely yours,
Donald E. Hoss Ph.D.
Former Director of the
Beaufort Laboratory
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cc: Representatives G. K. Butterfields, R. Elmers, G. Holdin, W. Jones, & D. Price

**U.S. House of Representatives, Committee on Appropriations
Subcommittee on Commerce, Justice, Science and Related Agencies
“FY 2015 Members and Outside Witness Hearing”**

**Testimony of West Huddleston
CEO, National Association of Drug Court Professionals**

March 31, 2014

Chairman Wolf, Ranking Member Fattah, distinguished Members of the Subcommittee, I am honored to have this opportunity to weigh in on an issue that I have come to believe is the most important criminal justice reform of our lifetime: Drug Courts. Last year, the House of Representatives had the vision to restore funding for Drug Courts to \$40.5 million at the Department of Justice, as well as include \$4 million for Veterans Treatment Courts so that the men and women who have served this nation receive the treatment they have earned. Today, I am asking our incredible champions in the House to include \$44 million for Drug Courts and \$4 million for Veterans Treatment Courts in the Fiscal Year 2015 budget. This investment will generate immediate returns by any standard you choose to measure, from unmatched cost-savings stemming from reduced re-arrests, law enforcement contacts and court hearings to lives restored, families reunited, and communities rescued from the epidemic of drug abuse and crime.

Twenty five years ago, the first Drug Court was launched in Miami, Florida, sparking a fundamental change in how America responds when a drug addict or alcoholic is arrested. Today, Drug Courts are the most successful response to addiction in our nation’s history. Over 2,840 Drug Courts are in operation in all fifty states and U.S. territories, successfully treating 142,000 drug-addicted individuals a year. Since 1989, Drug Courts have saved 1.3 million lives and billions of tax dollars, forever changing the course of a predominate “lock-em up” philosophy in America and proving once and for all that treatment does work when accompanied by accountability.

After 25 years of transforming lives, reducing crime, reuniting families and saving tax-dollars, Drug Courts are now the foundation of criminal justice reform sweeping the nation. A new report from Urban Institute recently found that 17 States are expected to lower prisoner populations and save billions through innovative justice reforms including significant Drug Court expansion. As a result, Drug Courts are now recognized as a key reason that decades of escalating prison populations have reversed course and are declining.

Additionally, the Drug Court model has now been expanded upon to serve veterans suffering from addiction, mental illness and trauma in over 130 Veterans Treatment Courts across the country.

So how did we get here?

One of the most significant contributing factors to the success of Drug Courts has been the critical funding provided by Congress. Every dollar Congress provides Drug Courts and Veterans Treatment Courts returns up to \$27, by funding the establishment of new programs and the critical infrastructure needed to ensure their efficacy.

Drug Courts are now the single most effective program for getting serious drug addicts into life-long recovery and putting them back to work, back in school, and back with their families. I have seen individuals mired in the deepest depths of addiction transformed by Drug Courts. I have spoken with veterans who after years of being unable to sleep without pain killers and alcohol are now healthy, law abiding pillars of their community. I have met children whose families have been saved because Drug Court, and only Drug Court, was able to keep their mother from using Methamphetamine.

From saving money to saving lives, from eliminating racial disparities to protecting public safety, from cutting crime to restoring families, from coming to the aid of our veterans to stopping impaired drivers, Drug Courts are a budget solution that we cannot afford to cut. There are hundreds of other reasons, but for the sake of time I will give you just four.

First, Drug Courts reduce recidivism at a level unmatched by any other program. By closely supervising participants and keeping them in treatment long enough to find permanent recovery, Drug Courts are a stabilizing force on our criminal justice system and society at-large. Approximately 75% of the people who complete Drug Court will never be arrested again. When Drug Court is unavailable due to budget cuts? Roughly 80% of addicted offenders will reoffend and wind up right back before the judge.

Second, Drug Courts save this country money. More research has been published on the effects of the courts than on virtually all other criminal justice programs combined. The facts are now known: Drug Courts have been found to save up to \$13,000 for every individual they serve. Research has also confirmed that the return on investment far exceeds that of any other program. Drug Courts save \$2.21 for every \$1 invested. When indirect cost-offsets were taken into account — such as savings from reduced foster care placements and healthcare service utilization — studies have reported economic benefits as high as \$27 for every \$1 invested.

Third, Drug Courts have stepped up to serve the growing number of veterans who face charges stemming from substance abuse to mental health issues. The wars in Iraq and Afghanistan have

taken an unprecedented toll on our men and women in uniform. While most return home strengthened by their service, far too many struggle in their effort to readjust to life outside the military. Often, mental health issues are compounded by substance abuse, family strife, unemployment, and homelessness; ultimately leading to incarceration. Drug Courts and Veterans Treatment Courts ensure that the criminal justice system effectively identifies, assesses, and responds to all justice-involved veterans appropriately, keeping them out of jail and connected to benefits and treatment. With thousands of soldiers expected to come home this year, we cannot afford to cut the last line of defense between their healthy future and a life of mental anguish and self-medication.

Finally, Drug Courts are being successfully implemented across the country. In Texas, Drug Courts are reducing the prison population so much that expensive prisons are closing their doors. In Alabama, Drug Courts have been expanded statewide and are producing massive cost-savings to taxpayers. In small towns, like Somerset, Kentucky, Drug Court is helping to take back a community from the scourge of prescription drug abuse. Every citizen benefits when Drug Courts get an addicted person clean and sober, pays taxes and becomes a productive citizen. And every citizen benefits when we live up to our promise to all veterans and ensure those suffering from the trauma of war get the benefits and treatment they have earned.

We live in unique and uncertain economic times and there is no doubt that the decisions you must make are not easy. But given the overwhelming evidence of Drug Courts success and the billions of dollars that have already been saved, I hope that this is one decision that will be easy. I strongly urge the House of Representatives to provide \$44 million for Drug Courts at the Department of Justice and \$4 million for Veterans Treatment Courts.



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**WRITTEN TESTIMONY of
TERESA HUIZAR, EXECUTIVE DIRECTOR
NATIONAL CHILDREN'S ALLIANCE**

for the

**US HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUB-COMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES**

MARCH 26, 2014

Chairman Wolf, Ranking Member Fattah and Members of the Subcommittee:

Thank you for the opportunity to provide testimony regarding the funding priorities of the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies.

National Children's Alliance is the national association and accrediting body for, as well as a provider of training and technical assistance to, almost 800 Children's Advocacy Centers throughout the US. We empower local communities to respond to child abuse by providing grants for the start-up and development of Children's Advocacy Centers which coordinate a multidisciplinary team for the investigation, prosecution, and treatment of child abuse. Funded through the Victims of Child Abuse Act, these Children's Advocacy Centers served almost 300,000 child victims of abuse throughout the U.S. in 2013; a majority of whom were victims of sexual abuse. In addition, these Children's Advocacy Centers provided 1.2 million individuals with child abuse prevention education. As you begin drafting your Subcommittee's Fiscal Year 2015 Appropriations bill, we respectfully urge you to once again fund the Victims of Child Abuse Act program at level funding of \$19 million in the Department of Justice's Office of Justice Programs, Juvenile Justice Account.

Children of every gender, age, ethnicity, socioeconomic status, and family structure are at risk for sexual abuse. Child sexual abuse is a crime perpetuated by silence and secrecy. Isolation, whether within a family or by community, adds significant risk for sexual abuse. Children who live in rural areas, for example, are almost 2 times more likely to be identified as victims of child sexual abuse.¹ Understanding the scope of the problem also requires understanding that child sexual abuse exists on a continuum of deviant and harmful behavior by the perpetrator that begins on one end with secretive and furtive victimization, may move into amateur or professional photo-documentation of that abuse primarily for the sexual gratification of the offender, or may move toward commercialization or public sharing of those images with other offenders, and on the far end of that continuum may include prostituting or trafficking the child. And, of course, a child may experience one, all, or some combination of these forms of child sexual abuse.

Children's Advocacy Centers are child-friendly facilities in which a multidisciplinary team comprised of law enforcement, child protective services, prosecutors, victim advocates, medical practitioners, and mental health professionals convenes and coordinates its efforts to investigate and prosecute child abuse cases while protecting children and providing needed treatment to victims. Across the United States, there are almost 800 Children's Advocacy Centers, which together served almost 300,000 child victims of abuse in 2013 alone.

¹ Sedlack, et al 2010.

The majority of these Children's Advocacy Centers were founded after the passage of the Victims of Child Abuse Act in 1990; which was an important part of Congress' efforts to improve the investigation, prosecution, and treatment of child abuse. Monies appropriated by Congress, each year since 1992, have improved the response within existing Centers, while aiding the development of new Children's Advocacy Centers in areas previously underserved. This much appreciated modest federal investment has been used to leverage state funding, private foundations, and local community donors.

This investment has yielded significant returns. The model of comprehensive care for child abuse victims has significant evidence of its efficacy. Independent research has found that child abuse cases coordinated through a Children's Advocacy Center have:

- a shortened length of time to disposition²;
- increased rates of prosecution³;
- more satisfaction on the part of child victims and their non-offending caregivers⁴;
- higher levels of service provision for medical evaluations; and
- increased referrals for mental health treatment than non-CAC cases⁵.

In short, the multidisciplinary team approach has shown that it is possible to reduce trauma to child victims of abuse while improving the legal outcome of cases and holding offenders accountable. And, at a time when financial resources are limited at every level of government, Children's Advocacy Centers have been demonstrated *to save on average over \$1,000 per child abuse case* compared to non-CAC communities⁶.

Sadly, this effective and efficient response is not available to every child sexual abuse victim in the U.S. Currently, abused children in 2,104 counties in the U.S. have access to the services of a Children's Advocacy Center. Meaning that, abused children in more than 1,000 counties have no access to this comprehensive care. Indeed, those areas that are underserved are the most rural, most geographically isolated, and the most resource-poor parts of our country. But, these children are not simply Virginia's children, or Pennsylvania's children, or Kentucky's

² Walsh, W.A., Lippert, T., Cross, T. P., Maurice, D. M. & Davison, K. S. (2008). How long to prosecute child sexual abuse for community using a children's advocacy center and two comparison communities? *Child Maltreatment*, 13(1), 3-13.

³ Smith, D. W., Witte, T. H., & Fricker-Elhai, A. E. (2006). Service outcomes in physical and sexual abuse cases: A comparison of child advocacy center-based and standard services. *Child Maltreatment*, 11(4), 354-60

⁴ Lalayants, M., & Epstein, I. (2005). Evaluating multidisciplinary child abuse and neglect teams: a research agenda. *Child Welfare*, 84(4), 433-58.

⁵ Smith et al 2006.

⁶ Formby, J., Shadoin, A. L., Shao, L, Magnuson, S. N., & Overman, L. B. (2006). Cost-benefit Analysis of community responses to child maltreatment: A comparison of communities with and without Child Advocacy Centers. (Research Report No. 06-3). Huntsville, AL: National Children's Advocacy Center

children: they are America's children. Indeed, the Victims of Child Abuse Act was conceived by Congress on a bipartisan basis to create and sustain a support system for every law enforcement officer and prosecutor combating child abuse across the nation, while also ensuring a network of care for the victims.

Children's Advocacy Centers are also uniquely equipped to be the first point of contact for victims of child trafficking. Recent research indicates that "one of the major ways that officers [reported] compromising previous potential human trafficking investigations was through poor interviewing of victims."⁷ In that same report, researchers noted that "human trafficking victims who suffer from trauma may require multiple interviews before they can accurately discuss the victimization they experience."⁸ For more than 25 years, Children's Advocacy Centers have proven their forensic interviewing techniques, and trauma-focused intervention services, help victims through the process. And, more recently, many of our CACs have begun developing programs specifically aimed at providing services for trafficking victims, funded in part with Victims of Child Abuse Act monies.

Beyond intervention services for victims and their families, Children's Advocacy Centers also provide training to their multidisciplinary team members. Last year, National Children's Alliance, their Children's Advocacy Center members and partners, provided training to more than 50,000 child abuse professionals. Investigating, prosecuting, and treating child abuse is complex and specialized work that requires highly trained professionals and access to continuing education for those professionals. Because 98% of child abuse investigations and prosecutions occur at the state/local level, training resources using federal funds should likewise be driven down to this level, and the Victims of Child Abuse Act funding supports this vital training.

However, this network has been deeply threatened over the past two years when funding for the Victims of Child Abuse Act was eliminated from the President's FY13 and FY14 Budgets. Fortunately, Congress acted and restored these funds. We understand that current budget climate has forced increasingly difficult choices on Congress and the Administration, and are deeply grateful the Victims of Child Abuse Act continues to receive funding. This modest federal funding investment leverages Children's Advocacy Centers as a vital resource.

⁷ Farrell A., McDevitt J., Pfeffer R., Fahy S., Owens C., Dank M., Adams W. (2012). Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases. Northeastern University's Institute on Race and Justice and the Urban Institute's Justice Policy Center, pp 96-97.

⁸ Ibid.

While child abuse investigations are important to the safety of victims and the accountability of offenders, we must also help victims learn to cope with the trauma. Child sexual abuse has well-documented life-long effects. Victims of child sexual abuse are more likely than their non-abused counterparts to become pregnant as teens, to drop out of high school, to abuse substances, to engage in self-destructive and risk-taking behavior, and to experience anxiety and depression. As adults, these individuals have increased morbidity and mortality, suffering from a host of physical and mental ailments at higher rates than their non-abused peers.⁹ Moreover, their own children are more likely to suffer sexual abuse during the course of their lifetimes than other children. This is truly the saddest possible cycle of abuse.¹⁰

This host of maladies is the result of the trauma caused by abuse. Child abuse victims experience rates of trauma symptoms (hyperarousal, fear, sleep disturbances, anxiety, depression) at rates verging on those experienced by war veterans. Fortunately, much has been learned over the past 15 years about successfully treating trauma in children. Every child who has been the victim of abuse deserves to be assessed to see if they would benefit from mental health treatment, and if so, to have it provided to them promptly. Abused children served within Children's Advocacy Centers have access to such trauma-focused, evidence-supported mental health treatment. For the almost 300,000 children served within Children's Advocacy Centers last year, there is no doubt that the care they received was improved and suffering they experienced was reduced for having had access to such treatment.

Summary

Child sexual abuse is a far too common experience for America's children. And, child sexual abuse is preventable. More than 2 decades of research reflects the effectiveness of child sexual abuse prevention and body safety information for children. Last year alone, Children's Advocacy Centers provided such information to more than 1.2 million individuals. One of the most effective prevention and response systems is available through Children's Advocacy Centers. There are almost 800 such centers throughout the U.S. that have been proven to be cost-effective and efficient in coordinating the investigation, prosecution, and protection of children while ensuring that child victims of abuse receive effective treatment.

We urge your strong support for funding the Victims of Child Abuse Act at \$19 million for FY15 to provide valuable assistance to law enforcement, keep communities safer, and strengthen justice and healing for victims. Thank you.

⁹ Dube S.R., Anda R.F., Whitfield C.L., Brown D.W., Felitti V.J., Dong M., Giles W.H. (2005). Long-term consequences of childhood sexual abuse by gender of victim. *American Journal of Preventive Medicine*, 28 (5), pp. 430-438.

¹⁰ Penelope K. Trickett, Jennie G. Noll and Frank W. Putnam (2011). The impact of sexual abuse on female development: Lessons from a multigenerational, longitudinal research study. *Development and Psychopathology*, 23 , pp 453-476 doi:10.1017/S0954579411000174



March 29, 2014

Dear Representatives:

As a long-standing member of the Marine Mammal Stranding Network, the Clearwater Marine Aquarium (CMA) writes in strong support for the John H. Prescott Marine Mammal Rescue Assistance Grant Program to be reinstated for FY 2015 at \$3.5 million, as provided by Congress in former years. For FY 2015, we are requesting \$66,697.09, to enhance our capacities to respond, transport, and research the deceased dolphins and whales that strand on the Florida coastline. This would be a critical contribution to the network statewide and furthermore, necessary to our continued duty to provide for the welfare of the public as well promote research and education.

CMA is a non-profit 501(c)(3) organization and since 1984, has responded to a total of 578 marine mammals, of which 74.5% were deceased. By rapidly and efficiently responding to deceased animals, we mitigate the transmission of pathogens to members of the public, as well as domesticated and other wildlife. Zoonotic diseases are of particular concern in the Tampa Bay area because it is heavily developed and populated. Through these stranding events, we are also able to collect data and contribute to research that can advance our understanding on marine mammals, most of which are understudied.

Human interactions are another area of significance to study, which can help improve and create policies and regulations aimed to mitigate pollution, harassment, fishery and vessel interactions, and more. Similar to the "canary in the coalmine", dolphins and whales can additionally serve as indicators of the ocean's health. Studying stranded marine mammals is therefore vital, as it alerts us to issues that could impact our wellbeing, such as red tide events and high contaminant levels. Ultimately, through the scientific investigation of marine mammal stranding events and education, we are then able to promote the public's awareness on marine mammals and their conservation, as well as its relevance to human health.

Although CMA has a team of 55 dedicated stranding volunteers, as well as response vehicles (obtained from previous federal funds) and basic equipment, our responses to deceased marine mammals is unfortunately limited due to lack of necessary staffing and specialized equipment/supplies, predominately in respect to post-mortem examinations. We are further limited in means of facilitating these examinations through fellow stranding organizations, because of their distance and varying resource allocation. In the past five years, only 50% of the deceased animals responded to were thoroughly studied. This drastically minimizes the amount and quality of samples

WE BELIEVE in preserving our marine life and environment while inspiring the human spirit through leadership in education, research, rescue, rehabilitation, and release.

249 Windward Passage | Clearwater, FL 33767 | 727.441.1790 | 727.445.1139 | SeeWinter.com

A Florida non-profit 501(c)(3) organization

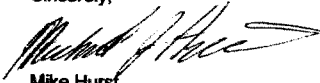


collected, which hinders the information gained from these events. This hindrance is even more apparent during large-scale strandings, such as the recent unusual mortality event of over 1,000 bottlenose dolphins on the east coast, as well as the pilot whale mass stranding events down in South Florida.

Funding has halted our progress in effectively responding to and conducting research on deceased marine mammals. Such limitations can have dire consequences not only to marine mammals and the ocean, but to people who utilize and live near these resources. It is for these reasons that we request that federal funding opportunities for the Marine Mammal Stranding Network increase and continue for the FY2015.

Thank you for your consideration on this crucial matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hurst", with a stylized flourish at the end.

Mike Hurst
Vice President of Operations/Zoological Care

March 31, 2014

Whitney Jenkins
1017 Broad St
Beaufort, NC 28516

Dear Committee Members,

Acting as a private citizen on my own time, I would like to submit testimony for the record.

I have recently been informed that the Presidents FY15 budget proposal includes plans to close down the NOAA Beaufort Laboratory in Beaufort, NC. This is a misguided decision. To learn why, I would like the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies to consider the following testimony.

Issue presented in budget – Long term cost of maintaining the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research) “To strengthen NOAA’s coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory...” On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: “this aging facility requires infrastructure repairs and improvements exceeding agency budget resources....”

Response – Urge proposed closure of NOAA’s Beaufort Laboratory be removed from the NOS budget.

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. An updated engineering report (2014) documents the condition of the facility is not structurally unsound. Additionally, there have been substantial improvements to the facility:

Facilities Upgrades

- 2006—Administration Building replaced (with NC NERRs)
- 2007—Bridge replaced – cost shared with Duke University
- 2008—Maintenance Building replaced
- 2009—Air conditioning/Air handler replacement and mold abatement
- 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
- 2014—Seawall repair, electrical upgrade and State of NC funded storm water control

Additionally, the National Ocean Service initiating the closure request understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 6 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Issue – While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support Ecological Forecasting of Harmful Algal Blooms (HAB), hypoxia, pathogens and Species Distributions.

Response – NOAA should not close the facility that has a proven track record with successful and effective research conducted on harmful algal blooms (HAB) and species distributions.

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In regards to species distribution research, Beaufort Laboratory staff initiated the study of the invasive lionfish in the US South Atlantic Bight, providing timely information on distribution, abundance and ecology to inform mitigation and management strategies throughout the SE US, Florida Keys, Gulf of Mexico and the Caribbean.

Additional Impacts of the Beaufort Lab Closure –

- N.C. Coastal Reserve and National Estuarine Research Reserve (NCNERR) staff are currently located at the NOAA Beaufort Lab which serves as the headquarters office for the program.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a five-minute boat ride from the Rachel Carson component of the NCNERR; this close proximity is essential for conducting NCNERR activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities.

Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Request – The House Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies decline to endorse the recommendation to close the Beaufort Laboratory and request current and accurate information from the Beaufort Laboratory leadership on costs for maintaining the Laboratory.

Desired Outcomes –

- NOAA’s Beaufort Laboratory closure proposed in the 2015 President’s Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

IN SUMMARY

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. The request understated the number of staff housed at this facility, and did not include NMFS or NCNERR employees. For 115 years, the NOAA Beaufort lab has had a rich history of involvement in local, national, and international marine science issues. The laboratory has produced award winning science in Fisheries and Harmful Algal Bloom research and is respected for the expertise and knowledge of the staff working there. The programs that NCNERR conducts at the facility are clear evidence of the Beaufort lab’s commitment to education and outreach—closing the facility would disrupt and greatly increase the hardships of running a successful marine science educational program. The lab originated in Beaufort, NC because of its unique position, being at the edge of two biogeographic regions (i.e., Cape Hatteras), and at the cusp of expanding tropical regions. It is critical that a NOAA lab of this strength continues in this location given the imperative to understanding fisheries management, coastal ecosystem management, climate impacts, coastal pollution, and harmful algal bloom issues in the mid and south Atlantic regions. Closing the Beaufort lab would leave a NMFS “facilities-based-gap” from Sandy Hook, NJ to Miami, FL. This fact alone reveals the shortsightedness of the President’s proposal. I hope the committee carefully considers this testimony and the testimonies of others that voice similar opinions against the President’s proposal to close the Beaufort NOAA Laboratory.

Thank you for your consideration,

Whitney Jenkins

Nancy M Jensen
 Citizen of the United States
 Resident of Morehead City, NC

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper species. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ, and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and

Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

NERR:

Impacts of Closure to the Reserve-Strategic Location and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff (7) are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:**Education***K-12 field trips*

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship*Volunteer service at the Rachel Carson Reserve*

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research*Research permits*

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program*Coastal Training Program workshops*

- 31 workshops
- 1076 participants

NOS:

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The

Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

Dr. David F. Johnson, former (retired September 2013) Director of the NOAA Beaufort Laboratory

My statement is submitted in strong and direct opposition to the closure of the NOAA marine science laboratory located in Beaufort, North Carolina, as is presently proposed in the **President's FY2015 Budget for:**

**NOAA,
NOS,**

Coastal Science, Assessment, Response and Restoration:

National Centers for Coastal Ocean Science (NCCOS), (NOAA Blue Book, page 8),

The cost is not specified in the Budget document.

The recommendation to close this laboratory is based on dated and faulty information, and has not been well justified in the Administration's budget. I respectfully request this Subcommittee to consider:

1. directing NOAA's National Ocean Service to withdraw the request for closure of the Beaufort Laboratory, and
2. reinstating a separate budget line for the Beaufort Laboratory and funding the science operations at \$8 million per year.

The balance of my statement will provide greater detail and justification for this position.

The Beaufort Laboratory (the formal name is the NOAA, NOS, Center for Coastal Fisheries and Habitat Research located in Beaufort, NC) is the second oldest federal laboratory in the U.S., founded in 1899. This national laboratory is a prime location for marine science and **provides the only federal access to the most diverse marine ecosystem in the U.S.** Within a short distance of the Beaufort Laboratory, ecological communities can be accessed which represent the northern extent of southern species and the southern extent of northern species. Offshore and adjacent to the Gulf Stream are reef communities representative of tropical environments. This location provides access to a ready supply of clean, high salinity, seawater which is so essential to marine cultures. In addition, this location provides ship access through a deep water inlet. I submit this location is an asset which should not be abandoned by NOAA.

In the budget request, the National Ocean Service (NOAA Bluebook: FY2015 Budget Summary, Chapter 2, page 8, section on Coastal Science, Assessment, Response, and Restoration: National Centers for Coastal Ocean Science (NCCOS)) proposes **"to reduce its physical footprint and fixed costs by closing the Beaufort N.C. laboratory"**. A NOAA spokeswoman in Maryland, Ciaran Clayton (Director of Communications and External Affairs), was quoted in our local newspaper: **"this aging facility requires infrastructure repairs and improvements exceeding agency budget resources.."** In subsequent discussions and clarifications for this budget, it seems this argument forms the basis for the requested closure. This argument, actually, is based on outdated information which has recently been demonstrated to be faulty. A recent engineering survey indicates some previously reported structural concerns were minor

and easily addressed without major cost. Please also be informed NOAA has been slowly upgrading the facility. In recent years, NOAA has provided approximately \$14.5 million in infrastructure improvements, including **three new buildings**. In fact, **NOAA just initiated a new construction project** at the Beaufort Laboratory with more than a million dollars in funding. Under these present circumstances, closure would seem to be a waste of federal funds.

This recommendation for closure was revealed to the Laboratory's partners and public with the release of the President's Budget for 2015. Apparently, this was a surprise to the NMFS, NERRS and contract partners using the facility, and the many State and academic partners involved in joint scientific efforts. I am unaware of formal efforts to evaluate the costs and impacts of such a closure on these many partner organizations. The loss of the ongoing activities at the Laboratory and the disruption to partner activities will have effects which will ripple across numerous agencies and programs. This seems programmatically and scientifically irresponsible.

The Beaufort Laboratory has a long and extraordinary record for scientific excellence. The laboratory employs a number of **internationally and nationally known scientists**, who are providing essential support to international, U.S. and NC issues. Without this ongoing support, NOAA programs like Harmful Algal Blooms, ecosystem forecasting and invasive species (lionfish) will be severely impacted. NMFS programs which, among others, represent management and recovery of key commercial species (snapper, grouper, menhaden) will be disrupted. The pioneering and essential work of these research teams (composed of leading scientists, junior scientists, technicians and essential support staff) will be terminated with the dissolution or dispersal of the teams. I am unaware of any NOAA efforts to evaluate the impacts to the many scientific programs through the loss of this scientific prestige.

The local community will be severely impacted. The **laboratory provides jobs for 108 people** who include not only NOAA, but also State and private partners. Beaufort is a small community which would be heavily impacted by the economic losses associated with these jobs, and those of related family members.

The large government investment in scientific equipment would be underutilized or wasted. The laboratory contains a **large and diverse array of scientific equipment** which cannot be maintained or effectively used with closure, or the loss of highly specialized support staff.

The **cost to provide laboratory and office space at Beaufort is cheaper than most areas of the U.S.** With tightening budgets, it would seem to make more sense to relocate employees to Beaufort. From this location, NOAA scientists would have access to facilities, equipment and ecosystems which are unavailable where many NOAA scientists are presently located.

Don Johnson, Sheriff
Hutchinson County Sheriff's Office

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Testimony of Research!America to the House Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies Concerning FY15 Appropriations for NSF
Submitted for the Record, March 31, 2014

Contact: Adam M. Katz, Policy and Advocacy Specialist, akatz@researchamerica.org

Research!America, a public education and advocacy alliance committed to advancing medical and other scientific research and development, appreciates the House Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies' stewardship over such a critical subset of our nation's discretionary funding priorities. As the subcommittee begins the process of prioritizing FY15 funding, we urge you to consider the following thoughts on the National Science Foundation (NSF) which is entrusted with sustaining our nation's sophisticated research infrastructure, partnering with the private sector to accelerate innovation, and maintaining our global leadership. For fiscal year 2015, we request that the National Science Foundation receive at least \$7.6 billion in federal funding to allow its continued growth as a driver for basic research.

The National Science Foundation (NSF) plays a pivotal role in advancing basic and social sciences research. The funding, or lack of it, allocated to NSF will bear on our nation's ability to compete in key export markets within the global economy, foster business development that grows and maintains jobs across the country, utilize social sciences research for more efficient federal spending based on advanced understanding of the use of social services, devise evidence-based strategies for empowering Americans to overcome the need for such services, meet our solemn obligations to our troops, bolster national security, and ensure top-line education for scientists and medical researchers at our nation's colleges and universities. The stakes truly are that high.

NSF as an innovation incubator

In fiscal year 2015, we urge you to fund NSF with at least \$7.6 billion to continue the trajectory of increased basic research which is so critical to society. NSF supports research in fundamental sciences and engineering to keep the United States at the forefront of scientific discovery. The source of approximately 21 percent of all federally funded basic research, NSF funds over 300,000 scientists, engineers, educators, and basic researchers through more than 11,000 grants annually. The fruits of NSF basic research are integral to our nation's innovation cycle. Countless innovations that Americans depend on every day, like laser technologies and internet search functions, are products of NSF-supported research. NSF has also supported the work of more than 200 Nobel Prize winners in the past sixty years.

NSF as a conduit to evidence-based, strategic use of government dollars

NSF's support of social sciences research is grossly underestimated in its value to taxpayers, the wellbeing of children and other vulnerable populations, and the prosperity of our nation. Designing and executing social services programs without evidence-based foundations is akin to shooting in the dark, wasting resources, and comprising the mission. When you think of child welfare programs, the need for social sciences research is crystal clear. It would be tragic if programs inadvertently created disincentives for proper foster care, for example. Social sciences research enables a better understanding of international markets, boosting the ability of businesses to succeed in our globalized economy. It is a dangerous mistake to dismiss the importance of such research.

NSF as an educator

In an era when a capable scientific workforce is crucial, NSF funds the education and training of the future STEM staff and leaders through various K-12, undergraduate, and graduate education programs. The only agency with a federally-mandated mission requiring incorporation of science and engineering education in all funded research, NSF helps to develop skilled researchers who not only extend scientific innovations but also educate future generations. For more than 20 years, the Advanced Technological Education program (ATE) has offered scientific educational support and opportunities to more than 54,000 undergraduate and associate degree students via almost 300 active grants. Without sufficient federal funding, fundamental educational programs like ATE are at risk for cutbacks which will weaken the future scientific workforce of America and hinder our country's growth as a global innovator.

The threat of sequestration's return

The Ryan-Murray Bipartisan Budget Act provided America with two years of partial relief from sequestration after across the board budget cuts dramatically impacted the nation's research capability in March 2013. Unfortunately, sequestration will go back into full effect in 2016 unless Congress takes action, and it will be in effect for two years longer than originally established under the 2011 Budget Control Act. The return of sequestration's budget cuts to discretionary spending, including that for NSF, poses potentially devastating setbacks to our nation's research. Short-changing scientific innovation and basic research is not a solution to the federal deficit or debt. For example, neglecting medical research undercuts strategies to fight chronic disease and the multipronged federal costs that arise from it, while squandering

opportunities to increase private sector and federal revenues through new medical innovations.

Research!America appreciates the difficult task facing the subcommittee as it seeks to simultaneously confront the budget deficit, strengthen the United States, and promote the well-being of Americans. There are few federal investments that confer as many benefits as medical research – new cures, new businesses, new jobs, new solutions to health care cost inflation, and new fuel to drive U.S. leadership in a global economy shaped by the ability of countries to continuously innovate. We firmly believe that investing in NSF is a means of advancing our nation's innovative capacity in both the short- and long-term. Thank you for your leadership and consideration; we know that your task is extraordinarily difficult, and that our nation is fortunate to have such pragmatic, committed and gifted leaders at the helm.

G. Todd Kellison
Carteret County, NC resident

31 March 2014

and

Chief, Fisheries Ecosystems Branch
NOAA Fisheries / Southeast Fisheries Science Center / Beaufort Laboratory

RE: FY 2015 budget proposal to close the NOAA Beaufort Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations,

First, allow me to state that while I am a NOAA employee, I have written this letter on my own time, with my own resources and not as any part of my NOAA-related job. The comments I offer below are my personal opinion as a citizen regarding the proposed closure of the NOAA Beaufort Laboratory in Beaufort, North Carolina.

I am gravely concerned about the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory. The Laboratory is part of the National Oceanic and Atmospheric Administration; it is administered by the National Ocean Service (NOS), but also houses the National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS). The Laboratory is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; habitat science; pathogens; and science to support management of economically important fisheries. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. Furthermore, **the Laboratory is the originator and centerpiece of an internationally esteemed consortium of marine science institutions**, including the marine laboratories of Duke University, NC State University, the University of North Carolina at Chapel Hill, and the North Carolina Division of Marine Fisheries. Beaufort was chosen because it is a prime location where northern and southern marine ecological communities intersect, and as such the Laboratory provides the only federal access to the most diverse marine ecosystem in the United States. There is **no other location** where these opportunities can be accessed as **easily** or as **cheaply**. The Beaufort Laboratory is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline.

The request to close the laboratory was based on current funding allocation, but inaccurate and outdated information that overstated the costs of maintaining the facility was used in the analysis that led to this request. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account *at all* for employees from NMFS or NERRS. In effect, **this mistake** excluded more than **half the staff** of the Laboratory. Furthermore, the request was based on **estimated costs** for the Laboratory's upkeep and maintenance that **were in error**.

Since 2006, several activities have been completed to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building, replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. After such investments, closing the Laboratory now would represent **a conspicuous waste of tax-payer money**. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is **NOT structurally unsound**. Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

I highlight below, by line office, the critical role that the NOAA Beaufort Laboratory has played in helping NOAA achieve its Strategic Mission 1) to understand and predict changes in climate, weather, oceans, and coasts, 2) to share that knowledge and information with others, and 3) to conserve and manage coastal and marine ecosystems and resources.

NOS:

While the National Ocean Service is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4 million to another center to support **Ecological Forecasting of Harmful Algal Blooms (HABs), Hypoxia**, pathogens, and **Species Distributions**. These areas of research are the bread and butter of NOS at the Beaufort Laboratory. In fact, NOAA would not have the strength it currently has in forecasting HABs if it were not for the Laboratory's seminal and award-winning work that has been ongoing from the 1980s to this day. Furthermore, the Beaufort Laboratory initiated the first-ever study of the invasive lionfish in the US South Atlantic, and it has continued to play a pivotal role in monitoring the distribution and abundance of this invasion throughout the South Atlantic, Gulf of Mexico, and Caribbean, providing information that has been critical for mitigation and management strategies. It is ironic and perplexing that the FY2015 President's budget requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management, while at the same time proposing to close an existing facility that already has both well-established expertise and facilities required to address many of those very same issues.

NMFS:

The Beaufort Laboratory provides the stock assessment science that allows NOAA to fulfill its obligation toward the **Magnuson-Stevens Fishery Conservation and Management Act**, as mandated by Congress. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Atlantic menhaden support the largest fishery on the US Atlantic coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico. To enable robust stock assessments, sampling of the Atlantic and Gulf menhaden fisheries has been conducted by the Beaufort Laboratory for decades, and monitoring of snapper-grouper species has been accomplished by the Laboratory's Southeast Fishery-Independent Survey. Removing this sampling and monitoring from the Beaufort Laboratory would not only result in a **significant disconnect between NOAA and the**

communities that it serves, but would also **degrade the quality of stock assessments** at a time when Congress is rightly calling for improvements.

NERRS:

NERRS is partnered with the N.C. Coastal Reserve, with program headquarters at the NOAA Beaufort Laboratory. This program supports **long-term research, water-quality monitoring, education, and coastal stewardship**. In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." With this funding, NOAA invested \$1.28 million and the state of NC invested \$42,000 for the construction of a joint building at the NOAA Beaufort Laboratory to serve the Reserve's mission. The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities. The NOAA Beaufort Laboratory is a 5-minute boat ride from the Rachel Carson component of the Reserve, and this close proximity is essential for performing Reserve activities efficiently to conduct mission-critical work, including educational programs, water quality and habitat monitoring, research programs, and stewardship of the site, which involves species monitoring, debris clean-ups, feral horse management, and access point maintenance. In short, **NERRS activities** in education, training, and stewardship have been **extensive**, and they would **not be feasible from any other federal laboratory**.

In conclusion, closure of the NOAA Beaufort Laboratory would be a detriment to NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on flawed estimates of maintenance costs and an outdated engineering report, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing the Laboratory would be trivial; however the loss to the nation would be significant.

Sincerely,

G. Todd Kellison, Ph.D.
1929 Snowy Egret Drive
Morehead City, NC 28557

March 31, 2014
 Patrick Kelly
 Concerned Citizen and Mental Health Professional
 Beaufort, NC

Dear Committee Members,

Acting as a private citizen on my own time, I would like to submit testimony for the record.

I have recently been informed that the President's FY15 budget proposal includes plans to close down the NOAA Beaufort Laboratory in Beaufort, NC. This is a misguided decision. To learn why, I would like the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies to consider the following testimony.

Issue presented in budget – Long term cost of maintaining the NOAA Beaufort Laboratory
 (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research)

"To strengthen NOAA's coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory..."

On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: "this aging facility requires infrastructure repairs and improvements exceeding agency budget resources..."

Response – Urge proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget.

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. An updated engineering report (2014) documents the condition of the facility is not structurally unsound. Additionally, there have been substantial improvements to the facility:

Facilities Upgrades

- 2006—Administration Building replaced (with NC NERRs)
- 2007—Bridge replaced – cost shared with Duke University
- 2008—Maintenance Building replaced
- 2009—Air conditioning/Air handler replacement and mold abatement
- 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
- 2014—Seawall repair, electrical upgrade and State of NC funded storm water control

Additionally, the National Ocean Service initiating the closure request understated the NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or the 6 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Issue - While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support **Ecological Forecasting of Harmful Algal Blooms (HAB)**, hypoxia, pathogens and **Species Distributions**.

Response – NOAA should not close the facility that has a proven track record with successful and effective research conducted on harmful algal blooms (HAB) and species distributions.

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In regards to species distribution research, Beaufort Laboratory staff initiated the study of the invasive lionfish in the US South Atlantic Bight, providing timely information on distribution, abundance and ecology to inform mitigation and management strategies throughout the SE US, Florida Keys, Gulf of Mexico and the Caribbean.

Additional Impacts of the Beaufort Lab Closure -

- N.C. Coastal Reserve and National Estuarine Research Reserve staff are currently located at the NOAA Beaufort Lab which serves as the headquarters office for the program.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities.

Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Request – The House Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies decline to endorse the recommendation to close the Beaufort Laboratory and request current and accurate information from the Beaufort Laboratory leadership on costs for maintaining the Laboratory.

Desired Outcomes

- NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

IN SUMMARY

Inaccurate, outdated information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. The request understated the number of staff housed at this facility, and did not include NMFS or NC NEERs employees. For 115 years, the NOAA Beaufort lab has had a rich history of involvement in local, national, and international marine science issues. The laboratory has produced award winning science in Fisheries and Harmful Algal Bloom research and is respected for the expertise and knowledge of the staff working there. The programs that NEERs conducts at the facility are clear evidence of the Beaufort lab's commitment to education and outreach—closing the facility would disrupt and greatly increase the hardships of running a successful marine science educational program. The lab originated in Beaufort, NC because of its unique position, being at the edge of two biogeographic regions (i.e., Cape Hatteras), and at the cusp of expanding tropical regions. It is critical that a NOAA lab of this strength continues in this location given the imperative to understanding fisheries management, coastal ecosystem management, climate impacts, coastal pollution, and harmful algal bloom issues in the mid and south Atlantic regions. Closing the Beaufort lab would leave a NMFS “facilities-based-gap” from Sandy Hook, NJ to Miami, FL. This fact alone reveals the shortsightedness of the President's proposal. I hope the committee carefully considers this testimony and the testimonies of others that voice similar opinions against the President's proposal to close the Beaufort NOAA Laboratory.

Thank you for your time and consideration,

Patrick Kelly

Regional Information Sharing Systems (RISS) Program
A Proven Resource for Law Enforcement

Fiscal Year 2015 Testimony to the Subcommittee on Commerce, Justice, Science, and Related
 Agencies of the Committee on Appropriations, United States House of Representatives

Submitted by Donald F. Kennedy, Jr., Chair, RISS National Policy Group

RISS serves thousands of law enforcement and public safety agencies across the country in their effort to successfully resolve criminal investigations, apprehend and prosecute offenders, maintain security, and ensure officer safety through nationwide deconfliction. Agencies, officers, and public safety professionals turn to and rely on RISS to access intelligence systems, investigative databases, analytical support, training, and a host of other services and resources. RISS is a leader and an innovator in technology and investigative support and has enabled law enforcement to significantly improve information sharing across jurisdictions, resulting in thousands of arrests and prosecutions and millions of dollars in seizures. It is imperative that these advances continue and be built upon in order to ensure a safer nation. FY2015 funding for RISS is requested at **\$45 million. This funding will support the continued operation of the six regional intelligence centers, the RISS Technology Support Center, and all of RISS's technology, investigative, and deconfliction services and resources.**

"RISS aids in the exchange of information between different states and regions and is a critical component of that success. I cannot stress the importance of RISS to law enforcement and to the individual cop who protects and serves his community."

—Maryland Police Officer

By leveraging and maximizing RISS's proven and trusted capabilities, law enforcement and criminal justice agencies can save money and enhance their investigative efforts by securely sharing information and accessing critical investigative resources. Agencies can also help keep the public and their officers safe through event deconfliction.

In FY2012, RISS's funding was **reduced 40 percent from \$45 million to \$27 million.** RISS continued to provide the best possible service and solutions to its agencies and partners. RISS worked diligently to maintain its core services and secure infrastructure. In addition, RISS was asked by numerous agencies, including many federal agencies, to participate in initiatives and help identify solutions. However, in some cases, agencies experienced decreases in analytical and investigative case support, training, and other investigative services. The RISS FY2013 appropriation was \$35 million, a significant increase over FY2012. Because of sequestration and administrative fees, however, RISS's net funding for **FY2013 was \$29.5 million.** The FY2014 appropriation included RISS at **\$30 million.** After administrative fees are applied, however, RISS's allocation will be **\$27 million—less** than FY2013. The FY2015 President's budget includes RISS at \$25 million, which at that level would exacerbate an already critical situation for the local, state, federal, and tribal agencies RISS serves.

RISS works regionally and on a global scale to respond to the unique crime problems of each region while strengthening the country's information sharing environment and supporting the

nation's public safety mission. **There is no other program in existence through which law enforcement officers can receive the level of support and access to resources that RISS provides.**

RISS Provides Secure Information and Intelligence Sharing Capabilities

RISS operates the RISS Secure Cloud (**RISSNET**)—a sensitive but unclassified (SBU) law enforcement cloud provider. RISSNET connects disparate systems, provides bidirectional sharing, and offers a federated search of connected systems. RISSNET serves as the secure infrastructure for hundreds of critical resources and investigative tools. The owners of these resources rely on RISSNET for its secure infrastructure. Currently, **84 systems are connected or pending connection** to RISSNET. Without RISSNET and the hundreds of resources it supports, agencies would be greatly limited in their ability to retrieve, exchange, and use information to prevent and solve crimes.

Examples of RISS-developed resources accessible via RISSNET include the RISS Criminal Intelligence Database (**RISSIntel**), the RISS Officer Safety Event Deconfliction System (**RISSafe**), the RISS Officer Safety Website, the RISS National Gang Program (**RISSGang**), the RISS Automated Trusted Information Exchange (**ATIX**), and the RISSLeads Investigative Website. RISS also develops secure hosted websites for partners to share information, post materials, and communicate. There are more than **30 sites** housed on RISSNET, including the Assured SBU Network Interoperability Working Group, the National Interagency Fire Center, the Medicaid Fraud Control Units, the Medicaid Integrity Institute, and the Federal Law Enforcement Training Center.

“For law enforcement information sharing, the RISSNET system is tested, tried, and trusted.”

—South Dakota Chief

The RISSIntel user interface provides for a real-time, **online federated search of more than 35 RISS and partner intelligence databases**, including state systems, the California gang intelligence system (CalGang), and systems connected via the National Virtual Pointer System (NVPS). This search does not require the RISSNET user to have a separate user account with the respective partner systems. This simplified sign-on approach enables officers to save time and quickly retrieve critical information. Millions of records are available via RISSIntel and bidirectionally from connected partner systems.

The RISSGang Program consists of the RISS National Gang Intelligence Database, the RISSGang Website, and information resources. The database provides law enforcement agencies with access to gang records, including suspects, organizations, weapons, photographs, and graffiti. The website provides resources, information, and publications. RISS completed a system-to-system interface between RISSIntel/RISSGang and CalGang, enabling authorized users to initiate a federated search. RISS completed the connection to the Bureau of Alcohol, Tobacco, Firearms and Explosives' GangNet and is working to connect other gang systems.

“RISSNET is the best law enforcement resource to share and receive information to solve crime.”

—New Jersey Police Officer

RISS ATIX provides a secure platform for law enforcement, public safety, first responders, and the private sector involved in securing our nation from terrorism and other disasters to share information. Community groups include local, county, state, and tribal levels of emergency management, law enforcement, and government, as well as public and private utilities, transportation, agriculture, chemical manufacturing, private security, environmental protection, banking and finance, and hospitality industries. The RISS ATIX resources include secure web pages, secure discussion forums, a document library, and secure e-mail.

Each RISS Center maintains a secure website to provide users with access to RISSIntel, other RISSNET resources, and investigative systems, such as the RISS Property and Recovery Tracking System, the Cold Case Database, and the Pseudo Violator Tracking System. The number of investigative records available through these different systems **exceeds 37 million**. During FY2013, more than **73 million transactions** occurred via RISSNET.

RISS Supports the Nation's Public Safety Mission

RISS is a key player in federal information sharing initiatives. RISS supports and partners with federal agencies, such as the Law Enforcement National Data Exchange (N-DEx); the Federal Law Enforcement Training Center; the Office of the Program Manager, Information Sharing Environment (PM-ISE); the Homeland Security Information Network (HSIN); the National Criminal Intelligence Resource Center; the United States Secret Service's Targeted Violence Information Sharing System; the Medicaid Fraud Control Units; and the National Motor Vehicle Title Information System.

The **N-DEx and RISS Information Sharing Partnership** aims to expand the availability of case management, investigative, and intelligence data as well as critical analytical tools. Access to N-DEx will be available to authorized RISSNET users via the Law Enforcement Enterprise Portal without requiring an additional user name or password. This capability enables officers to obtain needed information quickly, saves officers' time, streamlines operations, and enhances law enforcement's ability to respond to crime in their community effectively and efficiently. This effort was launched in the Rocky Mountain Information Network (RMIN), a RISS Center, and plans are under way to expand it to the other RISS Center regions throughout 2014.

RISS is the only nonfederal entity participating in the **Assured SBU Interoperability Initiative** under the auspices of the White House and the PM-ISE. This initiative seeks to expand federated access to resources and to provide simplified sign-on capabilities for officers to access multiple systems simultaneously. RISS is at the forefront in providing simplified, federated access. More than 18,000 users from trusted partner systems are using Federated Identity to access RISSNET resources, including the Federal Bureau of Investigation's (FBI) Law Enforcement Online, the Pennsylvania Justice Network, and the Chicago, Illinois, Police Department. In addition, RISS built and hosts NVPS Message Hub to provide access to the NVPS participant agencies and to RISS member agencies that submit records to the RISSIntel databases via

"RISS's 'one-stop' support is excellent and extremely fast and professional. RISS is a wonderful asset to have available."

—U.S. Immigration and Customs Enforcement
Bernalillo, New Mexico, Department of Homeland
Security and Emergency Management

RISSNET. RISS also provides support to high-profile events, such as the **2014 Super Bowl**. Through these partnerships, RISS offers cost-effective and time-saving solutions while further strengthening information sharing, public safety, and officer safety.

The RISS Centers have strong partnerships with **fusion centers**. Almost all fusion centers have access to RISSNET. RISS intelligence analysts interact daily with staff at various fusion centers. Some analysts are collocated. RISS provides technical on-site assistance to fusion centers to integrate RISS services and resources into their daily operations and coordinates the delivery of RISS services with fusion center personnel. During FY2013, RISS initiated the **Northeast Fusion Center Intelligence Project**, which will connect 17 existing fusion centers' intelligence systems to RISSIntel via RISSNET. By leveraging RISSNET and RISSIntel, fusion centers can securely share intelligence data among themselves and other entities and analyze criminal and terrorism data across jurisdictional boundaries, while safeguarding privacy and civil liberties.

RISS is supported by the International Association of Chiefs of Police, the National Sheriffs' Association, the National Narcotic Officers' Associations' Coalition, the National Alliance of Gang Investigators Associations, and many others. RISS's partnerships have resulted in an unprecedented level of information and intelligence sharing.

RISS Enhances Officer Safety Through Deconfliction

Blue-on-blue incidents occur when an officer or investigator inadvertently hurts or kills another officer. An example of this is when officers from multiple agencies are investigating the same individual or organization at the same time and are not aware of each other's efforts. **RISSafe** is an essential component in helping to ensure officer safety. RISSafe stores and maintains data on planned law enforcement events—such as raids, controlled buys, and surveillances—with the goal of identifying and alerting affected agencies and officers of potential conflicts impacting law enforcement efforts. The interaction between RISSafe and RISSIntel provides comprehensive officer safety event and subject deconfliction services. **RISSafe Mobile** enables officers to access RISSafe from their smartphones and other mobile devices. Many agencies have adopted internal policies mandating the use of RISSafe. RISSafe is accessible and monitored on a 24/7/365 basis and available at no cost to all law enforcement agencies regardless of RISS membership. **It is impossible to put a monetary value on the number of officers that RISSafe has helped protect from harm or, worse, death.**

“RISSafe is a critical part of our services to law enforcement participants in our program and surrounding-area agencies. It is reliable, adaptive, and easy to employ.”

—Philadelphia/Camden HIDTA

Since its inception, more than **757,000 operations** have been entered into RISSafe, resulting in more than **263,000 identified conflicts**. Currently, **22 RISSafe Watch Centers are operational**, 16 of which are operated by organizations other than RISS, such as state agencies, fusion centers, and High Intensity Drug Trafficking Areas (HIDTA). These organizations have invested resources to support this critical officer safety program. As of March 4, 2014, RISSafe and HIDTA's Case Explorer have been connected in the six RISS regions. Work is under way to expand connectivity with other deconfliction partners. The **RISS Officer Safety Website** serves

as a nationwide repository for issues related to officer safety, such as concealments, hidden weapons, armed and dangerous threats, officer safety videos, special reports, and training.

RISS Provides Critical Investigative and Case Support

RISS offers law enforcement agencies and officers comprehensive investigative services, from the beginning of an investigation to the ultimate prosecution and conviction of criminals. An officer can simultaneously query connected intelligence databases; retrieve information from specialized investigative databases and resources; use analytical products, such as crime scene diagrams, link-analysis charts, digital forensics, and audio/video services; solicit assistance from research staff to help sift through information, conduct research, and help identify the missing piece of the puzzle; borrow surveillance and investigative equipment; obtain training on new and emerging topics; and access critical publications and law enforcement-sensitive briefings. In FY2013, the RISS Centers developed **27,015 analytical products**, loaned **4,062 pieces of specialized equipment**, responded to **210,404 requests for research and technical assistance**, and **trained 46,579 individuals**.

“The Hampstead Police Department is a small police department with limited resources. Having RISS available to assist us with our needs is a tremendous asset.”

—Hampstead Police Department Detective

RISS is an excellent return on investment for our nation. Over the last 10 years, officers leveraging RISS’s services arrested almost **48,000 offenders** and seized more than **\$765.8 million in narcotics, property, and currency**. Without RISS’s services and resources, criminals, drugs, stolen property, and other contraband might still be on our streets. Every day, officers use RISS to help solve cases and stay safe. **To view success stories from every state and other information regarding RISS, visit www.riss.net/Impact.**

It would be counterproductive to require local and state RISS members to self-fund match requirements or to reduce the amount of Bureau of Justice Assistance discretionary funding. Agencies require more funding to fight the nation’s crime problem. RISS is unable to make up the decrease in funding that a match would cause, for it has no revenue source of its own.

Law enforcement and public safety are top priorities for all of us. There is no other program in existence through which law enforcement officers can receive the level of support and resources that RISS provides. Inadequate funding and support for RISS would significantly weaken the nation’s information sharing environment, hinder investigations, and impact the safety of our officers and our communities.

RISS has been instrumental in breaking down the communications barriers among the criminal justice community and providing seamless access to critical information, intelligence, and investigative resources. *RISS is A Proven Resource for Law Enforcement.* RISS’s services and programs directly impact law enforcement’s ability to successfully resolve investigations and prosecute criminals while providing the critical resources and officer safety deconfliction necessary to safeguard law enforcement officers and citizens. With the ongoing threats to our communities and nation, **more support for RISS is needed, not less.** RISS is grateful to provide this testimony at your request and appreciates the support this committee continuously provides to the RISS Program.

TO: The House Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

SUBJECT: Decision to Close the NOAA Center for Coastal Fisheries and Habitat Research located in Beaufort, NC as recommended on page 8 of NOAA's 2015 Budget Summary

SUBMITTED BY: Mary E. Kentula, Private Citizen

I am writing on opposition of the proposed closure of the NOAA Center for Coastal Fisheries and Habitat Research located in Beaufort, NC (hereafter the Beaufort Lab), as recommended on page 8 of NOAA's 2015 Budget Summary. As someone who has worked in the field of aquatic science for over thirty years, I am concerned that one of the Nation's premier research facilities may be closed. The Beaufort Lab is located strategically where the entire East and Gulf Coasts can be easily and cheaply accessed. The Lab is manned by an impressive team of nationally and internationally known scientists who conduct research critical to the understanding of the Nation's coastal ecosystems and the protection of our fisheries and other enterprises supporting the economy of coastal communities.

I have had the opportunity to work with scientists from the Beaufort Lab throughout my career. I have been consistently impressed with the quality of their work and their commitment to the mission of NOAA. One of the invaluable services such facilities provide is the ability to assemble technical teams from a variety of backgrounds and organizations to address difficult problems. This includes expertise from academia, the private sector, and other government agencies, as well as scientists from the natural and social sciences. Because of the mix of skills and perspectives, these teams are highly creative and productive. The Beaufort team has been very successful in using this approach, for example, to address the protection and restoration of coastal ecosystems and to provide guidance to coastal communities on how best to manage their lands in a productive and sustainable way.

I understand the intension is to move the federal scientists to other laboratories; however, the teams that have formed over the years to conduct what NOAA deemed high priority research will be disbanded, along with the associated institutional history. The time and effort lost while the capability is rebuilt will be costly in real dollars as well as in delays to important work. In addition, the investment in the large and diverse array of equipment at the Beaufort Lab will be lost and the funds used to purchase and maintain the equipment wasted. In this time of budget constraints, it is "penny wise and pound foolish" to destroy a well-functioning unit and lose the investment in the staff and equipment.

There is also the impact to the community of Beaufort to consider. I have read articles expressing concerns about the potential closure of the NOAA Lab. One account mentions the NOAA lab is the largest member of the North Carolina Marine Science and Education Partnership which accounts for over 58 million dollars in funding for research and, with the addition of the education component, more than 100 million dollars is brought into Carteret County. Loss of a key component of this hub for research and education would be devastating to the economy of the area and its citizens.

I urge the Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies to remove the recommendation to close the NOAA Center for Coastal Fisheries and Habitat Research from NOAA's budget for 2015 and thus prevent the loss of an outstanding center for high priority and critical research on coastal systems and fisheries.

Thank you for your consideration.

FROM: William Judson Kenworthy, PhD
 Research Fisheries Biologist (Retired)
 109 Holly Lane
 Beaufort, North Carolina 28516

TO: House Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

SUBJECT: FY 2015 NOAA budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

I am writing the sub-committee to voice my concern and opposition to NOAA's National Ocean Service's request to close the Beaufort Laboratory in Beaufort North Carolina (see NOAA's FY 15 Budget page 8, paragraph 3). Why am I voicing concern and opposition to this proposal? First of all, the financial basis of this proposal is not supported by the justification NOAA provides. NOAA states *"To strengthen NOAA's coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory..."*. At the same time, while the National Ocean Service is calling for the closure of the Beaufort North Carolina laboratory to presumably save money for the Agency, it is requesting an increase of \$6M in funds for another center in Silver Spring to support ecological forecasting of harmful algal blooms (HAB), hypoxia, pathogens and species distributions research (see budget summary, page 8, paragraph 1). This is the very same research already conducted at the Beaufort Laboratory and it is difficult to reconcile a cost savings by this action. In addition to this, NOAA's financial cost assessment used to justify the closure are based on outdated numbers for the operation and maintenance of the facility, and are significantly skewed by the inclusion of the cost to completely rebuild the facility (\$55M). The proposal to completely rebuild the facility is unnecessary, despite NOAA's contention that many of the facilities are aging and in need of repair or significant rebuilding. A recent engineering analysis of the laboratory indicates otherwise and that the facilities are in sound condition and function to serve NOAA's mission. In fact, in the past 10-15 years NOAA has invested a considerable amount of human and financial resources (approximately \$14M) to improve the facility including: construction of a new administration building with an auditorium, laboratory and office space to house the National Estuarine Research Reserve; a new bridge to access the island; a new maintenance building with offices, shops and a dive locker; replacement of the air conditioning and air handler system; mold abatement; new and upgraded storage facilities for samples, chemicals and hazardous materials; upgraded electrical infrastructure; repaired sea walls, and; constructed storm water controls. These are just a few of the most important improvements that have been made to keep the facility modern and functioning as one of NOAA's premier and most productive and respected laboratories.

The overall scope of research programs at the Beaufort Laboratory provides support for 8 of the 10 objectives in the U.S. National Ocean Policy and closing the Laboratory would significantly impact NOAA's contribution to supporting and implementing this Policy. The Laboratory is a centerpiece for basic and applied research programs that address many of the critically important issues in the coastal zone of the continental United States and its' Territories. Just to name a few, these include legislated mandates for managing the resources of our Nation's coastal ecosystems, sustaining fisheries, protecting and restoring critical wetlands and other vital

habitats, and responding to natural and human disasters in the coastal zone . Laboratory staff and their work are nationally and internationally recognized for their sustained and award winning contributions to both basic and applied science. Over the many years this facility has operated the staff has built both a reputation for outstanding science and established enduring collaborations with other federal and state agencies, local governments, non-government organizations, regional management bodies, and academic institutions. These partnerships have provided external sources of funding which have greatly supplemented NOAA's contributions, enhanced NOAA's productivity, strengthened NOAA's position and contributed to NOAA's ability to achieve its' goals and mission. Closure of the Beaufort Laboratory will, in all likelihood, sever many of these important partnerships and reduce NOAA's short- and long-term capabilities to meet its' mission.

Approximately 108 staff and their Agency responsibilities will be impacted by the closure. NOAA contends that the staff will be relocated somewhere in the Agency, but currently there is no specific plan in place, even though we are only six months away from FY15. Even when there is a plan, there is no guarantee that the employees will relocate with the Agency. Consequently, NOAA may lose significant and valuable human resources for which they have already invested a large amount of financial resources in maintaining, equipping and training. The closure will have additional significant economic and social consequences as the effects percolate through the employee's families and the economies of the communities they live in. None of these costs are accounted for in the proposed laboratory closure.

The issue of employee relocation brings up another important consideration that NOAA has neglected while attempting to justify closure of the Beaufort Laboratory. The current location of the lab provides direct and rapid access to some of the most diverse and productive estuarine, coastal and continental shelf marine ecosystems in the country. This access allows the staff and its' collaborators to study marine ecosystems that represent all of the South Atlantic and Gulf of Mexico. The Laboratory is in an extremely unique and strategic location. One hundred and ten years of sustained productivity and experience has demonstrated how the Laboratory has utilized this location to benefit the United States National interest in estuarine, marine and fisheries science. No other NOAA facility on the Atlantic Coast has such strategic capabilities and, given NOAA's mission, it appears counterproductive to close this facility and eliminate this potential capability. In fact, it would appear that a better strategy for NOAA would be to relocate personnel from other facilities and Centers to Beaufort, supplement the laboratory's budget, and enhance the extremely unique and important situation the laboratory already has. This makes far more sense than closing an ideally located laboratory with existing operational capabilities for field and experimental research that NOAA does not have anywhere else on the Atlantic coast. Relocating Beaufort Laboratory personnel to other facilities where the cost of labor, operations, maintenance and travel are much higher and where access to experimental facilities and field research sites is severely restricted and expensive is not sound justification for closing the Beaufort Laboratory.

For the reasons I have explained above, closure of NOAA's Beaufort Laboratory should not be included in the NOS budget. Furthermore, I urge Congress to inform NOAA that requests for closure of the Beaufort Laboratory will not be entertained in the future without adequate justification and Congress should direct NOAA to restore staffing, operational support and funding for science programs to full operational levels to utilize the capacity of the NOAA

Beaufort Laboratory to meet NOAA's legislated mission. Congress should also instruct NOAA to provide a report and a timeline to Congress with a strategy to address these concerns.

Testimony of Senator Curtis King
Washington State Senate
March 27, 2014

Testimony submitted to the House Committee on Appropriations
Subcommittee on Commerce, Justice, Science and Related Agencies

This testimony is submitted to the Committee for use during consideration of the continued funding of legal services.

In 2002, Columbia Legal Services in Yakima, WA, filed suit against Mr. Max Fernandez, a sheep rancher from Klickitat County. Columbia Legal Services went after Mr. Fernandez's small business, claiming he was not paying his shepherders minimum wage.

Mr. Fernandez fought this case for all the way to the State Supreme Court for three years. Ultimately, the Supreme Court did rule in his favor; however, the deck was stacked against Mr. Fernandez since it cost him over \$100,000 to defend himself while the taxpayers paid for the legal services lawyers. Mr. Fernandez had no way to recoup his legal costs.

In 2010, three sheep herders left Mr. Fernandez's employment before the end of their contract. These individuals remained in the United States illegally rather than returning to their home countries as required by the conditions of the H2A visa program. The Northwest Justice Project claimed the workers' wages were not paid and they were mistreated. The NWJ attorneys filed a complaint against Mr. Fernandez with the U.S. Department of Labor raising these same issues. Following an investigation, the Labor Department found the claims were not valid and refused to proceed further. Not being satisfied, the NWJ project filed a lawsuit. This is far above the mission of legal services. These activist lawyers sought out these illegal workers and used our tax dollars to do so.

As is so often the case, Mr. Fernandez was forced to settle this claim (which did not include an admission of liability) because he could not afford to again litigate against taxpayer-funded lawyers. This is injustice, not justice.

This is just one story of abuse against a farmer by activist lawyers. I would encourage the committee to consider the plight of small farmers, and all small businesses, when considering further funding for the Legal Services program.

After all, these services are not free, and we all need to be mindful of what public good is being served by using taxpayer dollars to fund these programs.

Thank you for taking the time to read this testimony.

Proposal to Close the National Oceanic and Atmospheric Agency, National Marine Fisheries Service Laboratory at Beaufort, North Carolina

Testimony from:

Benjamin Kornegay
 Graduate Student
 Louisiana State University
Department of Oceanography and Coastal Sciences
 998. S Kenilworth Pkwy Apt#:327
 Baton Rouge, LA 70820
bkornel1@tigers.lsu.edu
 252-333-7975

I am writing this on my own accord to advocate for the NOAA lab located on Pivers Island, North Carolina to remain open. I am a graduate student at Louisiana State University in the Department of Oceanography and Coastal Sciences and previously employed by the North Carolina State University Center for Marine Sciences and Technology(CMAST); located in Morehead City, NC ,which is located in close proximity to the Pivers Island Lab. I have also served as volunteer for the Southeast Independent Fishery Survey, based at the Pivers Island.

While I worked for NCSU CMAST I worked closely with NOAA researchers as we coordinated research projects on commercially and recreationally important fisheries. Additionally, my current research group at LSU frequently coordinates with NOAA researchers based on Pivers Island to communicate effective sampling methods and to share important research findings. The loss of Pivers Island would be crippling to university researchers who coordinate research projects in the Mid-Atlantic.

The closing of the lab would severely hamper the efficiency of communication among state, federal and university scientist. The lab serves as the Mid-Atlantic research station between NOAA's Sandy Hook, NJ lab and the Miami, FL lab. Many of the marine species studied are highly migratory and utilize habitats from New Jersey to Florida. With the potential closure of the lab, 20,693 miles of tidal shoreline would be without a NOAA research laboratory between Miami, Florida and Sandy Hook, NJ. With the absence of this middle research station, the efficiency of data collection from the coastal Carolinas will likely be degraded, creating a void in research in the Southeastern US with unpredictable consequences.

As commercially and recreationally important fish stocks such as Red Snapper begin to recover from overfishing, programs potentially impacted include the Southeast Fishery-Independent Survey (SEFIS) research group based on Pivers Island. Additionally, the lab supports research on protected migratory species such as the Bottlenose Dolphin and Loggerhead

Turtle, which frequent the North Carolina coast. The location of the Beaufort Lab in central coastal North Carolina ensures timely responses to strandings and other events requiring immediate attention.

The scientists at the lab produce high quality peer-reviewed papers in scientific journals at a rapid rate. Already in 2014 there have been eight publications in peer-reviewed journals from authors from the lab. These papers are read by scientist all over the world. Relocating these scientist would make data gathered from coastal North Carolina very inefficient to obtain. Due to the lab's broad reach in the scientific community, it should be a no-brainer to upgrade the facility rather than shut it down.

North Carolina State University is a land-grant university and a constituent institution of The University of North Carolina

**College of Veterinary Medicine
Department of Clinical Sciences**

NC STATE UNIVERSITY

1060 William Moore Drive
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919.515.6230 (Administrative Office)
919.515.6336 (Fax)

March 31, 2014

To: House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Subcommittee Members,

I am strongly against the proposed closure of NOAA's Beaufort Laboratory included in the 2015 President's Budget Request; this should not be included in the NOS budget. There are a number of reasons for this request including but not limited to:

1. Outdated and inaccurate information that overstated the costs of maintaining the NOAA Beaufort Laboratory was used in the analysis that led to the request to close this facility. In recent years NOAA has invested approximately \$14 million in new construction and renovations at the Beaufort Laboratory.

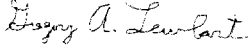
There have been substantial improvements to the facility and an updated 2014 engineering report states the facility is *not* structurally *unsound*.

2. The National Ocean Service understated the number of NOS staff and did not account for more than 40 National Marine Fisheries Service staff and staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co-located at the facility. In total, over 100 staff would be directly affected by this closure.

3. The Beaufort Laboratory has established an extraordinary and excellent record for scientific discovery and the generation of new and valuable knowledge through its various and varied research endeavors. The NOAA has frequently recognized individual scientists, research teams, and the Laboratory as a whole for the outstanding quality of the work conducted at the facility. The Laboratory's excellent research capabilities and reputation also attract support from other branches of NOAA outside organizations that recognize the importance of the work that goes on at the Laboratory. Ironically, the FY2015 budget initiative requests increased funding for a variety of coastal marine issues while at the same time proposing to close the Beaufort Laboratory, a hub of well-established expertise and facilities required to address many of these very issues.

Thank you for your time and consideration. I hope I have made my point as to the importance of this valuable and unique resource and what a loss its closing would be for hard working scientists and their families, regional and global natural marine resources, and the nation as a whole.

Sincerely,

A handwritten signature in cursive script that reads "Gregory A. Lewbart".

Gregory A. Lewbart M.S., V.M.D., Dipl. A.C.Z.M.
Professor of Aquatic Animal Medicine
greg_lewbart@ncsu.edu

Sharon B. Lewis

Volunteer

Emerald Isle Sea Turtle Protection Program

March 31, 2014

To whom it may concern:

I am writing to you today in regards to NOAA's National Ocean Service's request to close their Beaufort, NC Laboratory. (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research). As I understand it, the ISSUE was stated as a concern with the long term cost of maintaining the NOAA Beaufort Laboratory:

“To strengthen NOAA's coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory...”

On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: “this aging facility requires infrastructure repairs and improvements exceeding agency budget resources..”

I strongly urge this proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. It is important for you to know that inaccurate, outdated information (that overstated the costs of maintaining the NOAA Beaufort Laboratory) was used in the analysis that lead to the request to close this facility. In recent years, NOAA has invested approximately \$14 million in new construction and renovations at the Beaufort Laboratory. An updated engineering report (2014) documents the condition of the facility is not structurally unsound. There have been substantial improvements to the facility.

Facilities Upgrades

2006 \$7 M Administration Building replaced (NC NERRs contributed \$1M)

2007 \$2.1 M Bridge replaced – cost shared with Duke University

2008 \$0.86M Maintenance Building replaced

2009 \$0.5M Air conditioning / Air handler replacement and mold abatement

2009 \$1.0M Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced

2014 \$1.65M Seawall repair, electrical upgrade and State of NC funded storm water control

Current Staffing at NOAA's Beaufort Laboratory

71 Full time federal staff members, 40 National Marine Fisheries staff, 31 National Ocean Service staff

33.5 Contract positions and 8 NC NEERs staff

The National Ocean Service, in initiating the closure request, understated the NOS

staff and did not account for the more than 40 National Marine Fisheries Service staff or the 8 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

Desired Outcomes

- NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

In addition, you need to also consider the science issues that would be impacted by this proposed closure. This information comes from NOAA's FY 15 Budget Summary. The fact is that while NOAA is calling for the closure of the Beaufort NC Laboratory, it is requesting an INCREASE of \$4M to another center to support Ecological Forecasting of Harmful Algal blooms (HAB), Hypoxia, pathogens and Species Distribution.

It is ironic the budget initiative for FY2015 requests increased research funding for coastal ocean issues , including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address many of those very same issues.

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits o f the Laboratory's studies, and long have augmented the support provided by NOAA.

Please keep the Beaufort Laboratory open.

Sincerely

Sharon B. Lewis



MARINE MAMMAL STRANDING NETWORK

March 22, 2014

**Reinstate funding for Nationwide Marine Mammal Stranding Networks
The John H. Prescott Marine Mammal Rescue Assistance Grant Program
 administered by NOAA.**

To: The House Subcommittee on Commerce, Justice, Science and Related Agencies
 From: Robin Lindsey, Lead Investigator
 Seal Sitters Marine Mammal Stranding Network, Seattle, Washington

Dear Representatives,

In response to the Administrations's decision to drastically reduce funding for the Prescott Marine Mammal Response Assistance Grant program from the FY 2015 federal budget, I am writing on behalf of my Seal Sitters Marine Mammal Stranding Network (Seattle, WA) volunteers and colleagues to urge you to reinstate funding to the 2012 FY level of \$3.5 million. There are many serious consequences to cutting this very modest funding to the nation's stranding networks.

Marine mammal stranding networks are the nation's first responders to both live and dead marine mammals that come ashore (or are entangled off shore), often in urban coastal communities. Responders are usually the only means of intervention between wild and potentially dangerous marine mammals and a curious, but largely unwitting, public. Additionally, network responders collect biological specimens from stranded animals to monitor emerging, infectious, and zoonotic (transmissible to people) diseases in areas frequented by the public.

Infectious diseases have been showing up in marine mammals at an alarming rate in recent years. Network responders play an essential and unique role in identifying dangerous pathogens in marine mammals that share our shores. Their work is not only necessary for minimizing risks to public health and safety, but for developing a better understanding of the health risks facing these animals and our marine ecosystem.

Marine mammals are sentinels for the health of our oceans - and our first line of detection of ominous changes in the marine environment.

We have all seen the high profile responses to mass strandings or net entanglements of dolphins and whales - and responders struggling to keep a beached whale alive until the massive animal can be freed by high tide. However, on a daily basis across the US, responders routinely perform necropsies and take tissue samples and radiographs of dead animals to try to determine cause of death. Responders rescue marine mammals and transport them for treatment and rehabilitation. Stranding network volunteers monitor seals and sea lions resting on shore and educate the public about their behavior, keeping both the animals and public safe.

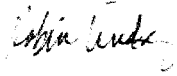
The public demands a response to marine mammals in need and the elimination of Prescott Funds for response and research will drastically impact this ability. There will

be severe public backlash when animals cannot be responded to at the level the public expects. For both public and animal safety, marine mammal strandings are best responded to by trained individuals. Without a professional response to these strandings, the public will resort to taking matters into their own hands, with the potential for injury, disease transmission or death to humans.

Rehabilitation facilities across the country depend on Prescott Funding for their work and will be severely compromised. Some will close. Many of the largely-volunteer networks will cease to exist without this funding.

Without this essential federal Prescott support, most of the vital work performed by the Marine Mammal Stranding Network will cease. Please do not let the public and our marine mammals down. Continuing this work is clearly in the public interest, has high public support and is demanded by the nation's citizens who have high expectations that the networks will continue to monitor the health of our oceans.

Sincerely,



Robin Lindsey, Lead Investigator
Seal Sitters Marine Mammal Stranding Network, Seattle Washington
www.sealsitters.org
www.blubberblog.org

Comment for the House Committee on Appropriations Subcommittee on Commerce, Justice,
Science and Related Agencies

R. Wayne Litaker, PhD
Fisheries Biologist, NOAA

30 March 2014

RE: Proposed closure of the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research).

I am writing the following letter as a private citizen **requesting the language in the 2015 President's Budget to close the Beaufort Laboratory (Center for Coastal Fisheries and Habitat Research, Centers for Coastal Ocean Science, National Ocean Service, NOAA) be removed from the National Ocean Service budget.** This request is based on critical services the laboratory provides to nation, the unique and irreplaceable location of the laboratory with regard to addressing important societal issues, the economic impacts the laboratory has on our rural community and the inaccurate information concerning the resources it would take to maintain a safe working environment at the laboratory.

Critical services the laboratory provides to nation

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA. Some of those services include:

- Providing the stock assessment science that determines how many fish can be caught in the southeast United States. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

- Stock assessment science that determines how many fish can be caught in the southeast United States. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million. The management recommendations are critical for states from Texas to New York.
- Critical research on Camp Lejeune, NC on effects of sea-level rise on Camp Lejeune, NC, under the Defense Coastal/Estuarine Research Program. This research represents a significant application of NOAA science to meet DOD's critical need under the Defense Coastal/Estuarine Research Program to produce conceptual and mechanistic ecological models for management of Camp Lejeune's marsh systems. These marshes are the primary location for amphibious landing training and essential for maintaining a well-trained national defense force.
- Developing siting and management protocols for successfully implementing sustainable offshore aquaculture in US coastal waters. This is an emerging multiple million dollar industry.
- Research to develop products for monitoring and mitigating the adverse economic and public health effects of harmful algal blooms which affect almost every US coastal state, Caribbean and Pacific territories, and the Great Lakes. The work involves development and commercialization of test kits for detecting harmful algal bloom toxins.
- Pioneering work on the fact that nutrient driven blooms which die and decay in coastal waters are causing ocean acidification at rates in some habitats at 10-100 faster rates than inputs of carbon dioxide into the atmosphere. This knowledge and resultant modeling efforts are crucial for managing ocean acidification in coastal waters and estuaries.

It is ironic that the budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address these very same issues. The NOAA Beaufort laboratory staff is already working diligently to implement the National Ocean Policy by utilizing an ecosystem-based approach to produce the best science and data while strengthening regional efforts through collaborations.

Laboratory location

The NOAA Beaufort Laboratory is the only Federal Fisheries facility between Miami and Sandy Hook and was located in most diverse marine ecosystem in the U.S. The ecological communities are representative of the East and gulf coasts of the U.S. and there is no other location where so many habitats can be accessed as easily or as cost-effectively. The laboratory, established in 1899, has served as a guiding star for other marine research facilities. Duke University purchased land from the Federal Government about 60 years ago to locate their marine laboratory immediately adjacent to the Beaufort Laboratory. In more recent years the State of North Carolina has located its Seafood Laboratory and its Marine Fisheries Division in the area. The University of North Carolina-Chapel Hill and North Carolina State University followed on to locate their marine teaching and research facilities in the Beaufort-Morehead area as well. The Beaufort Laboratory serves as the hub of local, regional and international collaborations. The regional marine sciences program will be greatly compromised without the collaboration of scientists from the Beaufort Laboratory. The site is also one identified as most likely to affect by climate change which was why the NOAA Beaufort Laboratory was designated a key sentinel site for long-term monitoring of climate change. One reason for this designation are the long-term data sets collected at the laboratory over the past 60 years which can be used to document shifts in climate. Closing the laboratory would mean losing an invaluable scientific location and long-term data sets at a time when they are needed to address missions critical to NOAA and the nation.

The proposed closure of the laboratory would also adversely affect seven NC NERR staff and the administration of the popular Rachel Carson Reserve and the significant investment in this program. Specifically:

- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

The economic impacts the laboratory has on local community

In total, 100-110 staff from NMFS, NOS, and NERR will be directly affected by the closure of the Beaufort laboratory. Together NOAA and NERRS are one of the largest employers in Beaufort, NC where the laboratory is located. The laboratory staff and their families spend millions of dollars and the loss of that income would adversely affect the local community which was particularly hard hit by the recent recession.

Inaccurate information concerning the resources it would take to maintain a safe and productive working environment at the laboratory

The language to close the NOAA Beaufort Laboratory was stated as follows:

“To strengthen NOAA’s coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory”.

The cost saving envisioned in this closure, however, were based on an outdated and inaccurate in NOAA explanation of budgetary items.

An engineering report (2014) documents the facility is NOT structurally unsound or unsafe. A series of facilities upgrades (more than \$14 million) have been completed since 2006 then the first of three building was replaced. Other infrastructural upgrades include the upgraded electrical and mechanical systems, replacement of the bridge leading to the laboratory and seawall repairs.

Specific facilities upgrades include:

- 2006—Administration Building replaced (with NC NERRs)
- 2007—Bridge replaced – cost shared with Duke University
- 2008—Maintenance Building replaced
- 2009—Air conditioning/Air handler replacement and mold abatement in the main laboratory building successfully completed along with a new roof
- 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
- 2014—Seawall repair, electrical upgrade and State of NC funded storm water control system being installed.

Closure of the laboratory would additionally necessitate relocation of Federal employees to comparable laboratory spaces which currently do not exist at other NOS facilities. Providing moving expenses and renting the additional laboratory space would likely be comparable to that associated with the continued maintenance of the facility for the foreseeable future. Closure would therefore result in minimal saving relative to the work being conducted at the Beaufort laboratory and the strategic location of the laboratory.

Requested Action

For the reasons stated above, I urge the proposed closure of NOAA’s Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and

NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Further, Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future. Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the Beaufort NOAA Laboratory. NOAA should provide a report and timeline to Congress with a strategy to address these concerns.



Undersheriff Robert Swenszkowski
Chief Deputy Jonathan G. Owens

Chief Deputy Gabrielle O. Liddy
Chief Deputy Dean Obermesser

Sheriff Robert M. Maciol

March 28, 2014

The Honorable Barbara Mikulski
Chairman, Senate Subcommittee on Appropriations
Commerce-Justice-State-Science

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science

Dear Chairman Mikulski & Chairman Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

Robert M. Maciol
Oneida County Sheriff

Cc: Senator Gillibrand
Senator Schumer
Congressman Hanna

Rep. Nita Lowey
Rep. Jose Serrano
Rep. Bill Owens

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Civil Division
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**Jim Maddy, President and CEO
Association of Zoos and Aquariums**

Testimony – House Subcommittee on Commerce, Justice, Science, and Related Agencies

Thank you Chairman Wolf and Ranking Member Fattah for allowing me to submit testimony on behalf of the nation's 213 U.S. accredited zoos and aquariums. Specifically, I want to express my support for the inclusion of at least \$3.981 million for the John H. Prescott Marine Mammal Rescue Assistance Grant Program, \$2,500,000 for the NOAA Ocean Education Grants Program, and \$12,000,000 for the Bay, Watershed, Education and Training Program in the FY2015 Commerce, Justice, Science, and Related Agencies appropriations bill. Additionally, I urge you to reject any proposal that eliminate valuable ocean education programs as part of a plan to restructure federal Science, Technology, Engineering, and Math (STEM) programs.

Founded in 1924, the Association of Zoos and Aquariums (AZA) is a nonprofit 501c(3) organization dedicated to the advancement of zoos and aquariums in the areas of conservation, education, science, and recreation. AZA-accredited zoos and aquariums annually see more than 182 million visitors, collectively generate more than \$21 billion in annual economic activity, and support more than 204,000 jobs across the country. Over the last five years, AZA-accredited institutions supported more than 4,000 field conservation and research projects with \$160,000,000 annually in more than 100 countries. In the last 10 years, accredited zoos and aquariums formally trained more than 400,000 teachers, supporting science curricula with effective teaching materials and hands-on opportunities. School field trips annually connect more than 12,000,000 students with the natural world.

During the past twenty years AZA-accredited zoos and aquariums have rescued and rehabilitated more than 1,800 marine animals including stranded dolphins, whales, sea lions, seals, sea otters, sea turtles, and manatees. More than 1,750 (97%) of these animals have been successfully released back into their natural habitat. While the nations' accredited zoos and aquariums support wildlife rehabilitation through their ongoing animal rescue programs, these institutions are sometimes involved in addressing natural and manmade disasters such as the 2010 Deepwater Horizon Gulf oil spill. For example, following the oil spill, accredited zoos and aquariums around the country offered assistance by pledging the services of 200 animal care professionals and donating supplies, vehicles, and other resources to assist in the wildlife rescue efforts.

The John H. Prescott Marine Mammal Rescue Assistance Grant Program provides grants or cooperative agreements to eligible stranding network participants for the recovery and treatment (i.e., rehabilitation) of stranded marine mammals; data collection from living or dead stranded marine mammals; and, facility upgrades, operation costs, and staffing needs directly related to the recovery and treatment of stranded marine mammals and collection of data from living or dead stranded marine mammals. Eligible applicants are currently active, authorized participants, including AZA-accredited zoos and aquariums, or researchers in the National Marine Mammal Stranding Network.



NEW YORK STATE
ACCREDITED AGENCY

Office of the Sheriff

Genesee County, New York

Gary T. Maha, Sheriff
William A. Sheron, Jr., Undersheriff

March 28, 2014

The Honorable Barbara Mikulski
Chairman, Senate Subcommittee
on Appropriations
Commerce-Justice-State-Science
CJS@appro.senate.gov

The Honorable Frank Wolf
Chairman, House Subcommittee
on Appropriations
Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

If You Please:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I urge you to support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I ask you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset costs incurred for the incarceration of undocumented aliens that have committed crimes in our communities.

When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible, as has been the case since the inception of the program, the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and the local law enforcement community, as it not only provides much-needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended, the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

Gary T. Maha
Sheriff of Genesee County, New York

Sheriff's Office
165 Park Road
Batavia, New York 14020
(585) 345-3000

Genesee County Jail
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Batavia, New York 14021-0151
(585) 343-0838

Without the Prescott grant program, NOAA would have to rely on private organizations as it coordinates the response to marine mammals in distress; determines disease, injury and potential cause(s) of death; and supports emergency response for marine mammals during oil spills, outbreaks of diseases, and unusual mortality events. Network partners may not have the funds or the ability to respond to some stranding events, leaving animals at risk for prolonged exposure and likely death. Without funding for this program the critical ability to monitor marine mammal health trends, collect scientific data, and perform analysis would also be diminished. Information about the causes of marine mammal strandings is useful to the public because marine mammals can serve as an indicator of ocean health, giving insight into larger environmental issues that also have implications for human health and welfare.

At the same time that AZA-accredited zoos and aquariums are working with federal partners to conserve ocean wildlife, they also are providing essential learning opportunities, particularly about science, for schoolchildren in formal and informal settings. Increasing access to formal and informal science education opportunities has never been more important. Studies have shown that American schoolchildren are lagging behind their international peers in certain subjects including science and math.

The NOAA Ocean Education Grants Program and Bay, Watershed, Education and Training Program bring students closer to science by providing them with the opportunity to learn firsthand about our world's marine resources. Through these grant programs, aquariums work closely with federal, state, and local partners on projects with long-lasting benefits not only for the students but their communities as well. For example, previous projects funded by NOAA Ocean Education Grants at AZA aquariums have focused on establishing a regional network of summer camp programs grounded in ocean science, enhancing teen conservation leadership programs, and conserving and managing coastal and marine resources to meet our nation's economic, social and environmental needs. As schools face increased budgetary pressures, these types of education programs at aquariums will become even more important in ensuring that American schoolchildren receive the necessary foundation in science education that they will need to be competitive in the 21st century global economy.

AZA-accredited zoos and aquariums are essential partners at the federal, state, and local levels to improve education for schoolchildren and ensure that current and future generations will be good stewards of the world's oceans. Therefore, I urge you to include at least \$3.981 million for the John H. Prescott Marine Mammal Rescue Assistance Grant Program, \$2,500,000 for the NOAA Ocean Education Grants Program, and \$12,000,000 for the Bay, Watershed, Education and Training Program in the FY2015 Commerce, Justice, Science, and Related Agencies appropriations bill.

Thank you.

**STATEMENT OF GABRIELLE MARTIN, NATIONAL PRESIDENT
NATIONAL COUNCIL OF EEOC LOCALS, NO. 216, AFGE/AFL-CIO
TO
THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON
COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES
ON
FY15 APPROPRIATION FOR EEOC,
INCLUDING RESTORING FUNDING FOR EEOC TO AVOID FURLOUGHS AND
REDUCE 70,781 CASE BACKLOG AND 9 MONTH PROCESSING TIMES
AND OVERSIGHT FOR EFFICIENCIES SUCH AS FULL SERVICE INTAKE
March 31, 2014**

Chairman Wolf, Ranking Member Fattah, and members of the Subcommittee, this testimony is submitted on behalf of the National Council of EEOC Locals, No. 216, AFGE/AFL-CIO. The Council is the exclusive representative of the bargaining unit employees at the Equal Employment Opportunity Commission (EEOC), including investigators, attorneys, administrative judges, mediators, paralegals, and support staff in 53 offices nationwide. The Council expresses our appreciation that, despite an immensely tight budget year, Congress increased EEOC's FY13 base funding to \$370M. Unfortunately, sequestration slashed EEOC's budget to \$344M. EEOC passed the cut along, by furloughing all employees for five days and continuing a hiring freeze that had been in effect since FY11. EEOC ended FY13 with a record low 2,147 employees, down 14% from 2,505 in FY11. Nevertheless, charge filings have remained at record high levels for the past five years. As a result, EEOC's 70,781 backlog is on the rise again. Another 3,150 charges piled up during the government shutdown. Average case processing delays extend nine months. EEOC resolved 14,000 fewer cases in FY13. The public waits approximately 45 minutes when they call EEOC's short-staffed in-house call center.

EEOC's final FY14 budget of \$364M provides some relief to sequestration, but is still \$3M below the EEOC's FY10 budget. EEOC should use its limited hiring authority wisely for frontline positions to serve the public and reduce the backlog. Instead, EEOC is adding more costly supervisor positions, forcing the agency to concede that the backlog will rise to 77,387.

EEOC should also implement efficiencies to work smarter such as the full service plan and expanding telework, which reduces traffic and pollution, improves morale, and lowers office space costs. Unfortunately, EEOC is resisting implementing its new Collective Bargaining Agreement provision, which increases telework one day per biweekly period and reduces space.

The Council seeks this Subcommittee's continued support to ensure that EEOC can effectively enforce workplace discrimination laws that help Americans get and keep jobs, by including bill and report language for FY15 which: (1) supports increasing EEOC's funding to at least \$370M, the base funding for FY13 pursuant to H.R.933; (2) directs EEOC to hire frontline staff to reduce the backlog; (3) requires EEOC to implement efficiencies, i.e., pilot the Cost Efficient Full Service Intake Plan, reduce supervisor to employee ratio to 1:10, and implement the CBA's additional biweekly telework for space savings; (4) directs EEOC to cut unnecessary contracts, travel, training, and conferences; (5) maintains oversight of any restructuring, including the HQ Office of Federal Operations; and (6) requires EEOC to budget for necessary funding to compensate employees in the current claims process of a Federal arbitrator's 2009 ruling that EEOC willfully violated overtime laws.

Introduction:

The EEOC was created by the Civil Rights Act of 1964, which celebrates its fiftieth anniversary this year. The EEOC's jobs focused mission is to enforce this nation's laws which protect against discrimination in employment based on race, color, religion, sex, national origin, age, and disability. As of 2009, Congress added to EEOC's enforcement responsibilities three new laws, i.e., the Americans with Disabilities Act Amendments Act (ADAAA), Genetics Information Nondiscrimination Act (GINA) and the Lilly Ledbetter Fair Pay Act. In the last five years a record number of applicants and workers came to the EEOC for help getting a fair shot in the workplace. Unfortunately, short-staffing, furloughs and the shutdown mean that EEOC's backlog of 70,781 cases is projected to grow worse. Delays caused by the backlog are bad for workers and employers. Also, constituent complaints to Congressional offices will increase. This Subcommittee can help by supporting additional funding for EEOC of at least \$370M and providing report language directing EEOC to hire frontline staff and implement efficiencies, e.g., the full service intake plan and implementing the CBA provision adding a day of telework and reducing space costs. The EEOC should also cut expenses like management travel that can be accomplished by video-conference and contracts that that can be performed in-house.

Support Increasing EEOC's Funding for FY15 to at least \$370M:

A budget increase for EEOC is warranted, because recent cuts have left EEOC short-staffed and unable to keep up with its heavy workload. An historically small agency, EEOC has often received only level funding. However, EEOC suffered its first budget cut when funding was reduced from \$367M in FY11 to \$360M in FY12. In FY13, sequestration slashed EEOC's base funding level from \$370M to \$344M. For the first quarter of FY14, EEOC continued to operate at the painful sequester level. While the approved FY14 budget provides was some relief from sequestration, EEOC's funding level of \$364M is still \$3M below FY10.

As the budget has decreased, the first place EEOC has looked for savings is staff, i.e., separation savings and furloughs. EEOC ended FY13 with a record low 2,147 employees, 14% fewer than the 2,505 employees in FY 11 when a hiring freeze was instituted. EEOC's Office of Inspector General calls it a "major challenge" that "investigative staff, the primary staff responsible for handling private sector charges of discrimination, decreased from 726 to 656, a decline of (9.6%)." This compares to a high of 917 in FY00. EEOC's in-house call center staff is down from 65 to the current 28. Administrative judges, mediators, and FOIA units, have lost staff to attrition. Making matters worse, EEOC passed the sequester cut along to staff with five furlough days.

Despite these cuts, EEOC's workload has remained high. FY13 represents the EEOC's fifth year of historically high charge filings. EEOC's FY15 Congressional Budget projects similarly high charge receipts through FY17, due to EEOC's expanded enforcement authority over three new laws (ADAAA, GINA, and Ledbetter) since 2009 and the still struggling economy. Complex and time consuming filings like disability and retaliation continue to increase. EEOC's emphasis on large labor intensive nationwide systemic cases strain its diminishing workforce.

The imbalance between frontline staff and workload negatively impacts EEOC's ability to carry out its vital civil rights mission. After modest backlog reductions in FY11 and FY12, EEOC reversed its progress. EEOC's backlog for FY13 rose to an unacceptable 70,781. EEOC's OIG recognizes that, "[i]t is axiomatic that any substantial and sustainable effort to significantly reduce the charge inventory requires adequate numbers of staff (investigators in particular)."

EEOC resolved 14,000 fewer cases in FY13 than in FY12. EEOC's Federal sector hearings program resolved 10 percent below FY12. EEOC's Performance and Accountability report explained the "significant decrease in resolutions" was "likely due to the decline in staffing and resources the agency faced in FY2013, including the impact from furloughs."

The public suffers the consequences of the nine month processing delays caused by the staff shortages. Callers to the EEOC's in-house call center must wait approximately 45 minutes. The number of calls handled by the remaining 28 person in-house call center staff dropped from 25,000 per month in FY12 to 19,000 per month in FY14. EEOC receives over 18,000 Freedom of Information Act requests annually. According to the FY13 FOIA report, "[t]he lack of reduction in the request backlog was caused both by the increased number of requests, and by the inability to back fill vacant FOIA positions." Likewise, the loss of 6 mediators resulted in a drop in the number of mediations conducted by staff mediators in FY13.

The chart included with this testimony illustrates EEOC's troubling customer service trends. FY14 statistics likely will look worse. EEOC got off to a rocky start in FY14 with 3,150 charges piling up during the government shutdown. Unfortunately, EEOC is concentrating its limited hiring ability on supervisors and managers rather than frontline staff. EEOC's limited hiring of frontline staff is inadequate to overcome recent losses and outpace attrition. EEOC acknowledges as much in chart 2 of its FY15 Congressional Budget justification, where it estimates that staffing will drop from 649 investigators in FY13 to 630 investigators in FY14. As a result EEOC anticipates EEOC's backlog growing to 77,387.

EEOC's backlog crisis was at its worst when it jumped 35% in FY07 and again in FY08. The runaway backlog was caused by increased charge filings, a 25% reduction in staffing levels due to a multiyear hiring freeze, and several years of flat-funding. Undisputedly, EEOC did not have the resources to serve the public by 2008. In this context, President Bush requested a budget and staffing increase for EEOC for FY09, as did President Obama the next year. Congress enacted both requests. With this support, EEOC modestly reduced the backlog 10% in FY11 and FY12.

Now, with recent budget cuts, EEOC has reversed any gains and the backlog is rising. Therefore, the Council respectfully requests that this Subcommittee support additional funding for EEOC to take charge of its backlog and allow for backfills of frontline positions.

EEOC Should Implement Efficiencies To Save Money and Improve Service to the Public:

For several years, the Council has shared with this Subcommittee common sense solutions that EEOC should implement to create tangible improvements to services. Instead the EEOC's FY15 Budget offers up "efficiencies" that do not provide substantive improvement. Plans for an online appointment system, electronic charge status tracking, and online pre-charge filing do not address the real problem, i.e., inadequate numbers of frontline staff. These "efficiencies" both highlight and will only exacerbate the problem. When the public can track the delays of their cases they will overwhelm the in house call center with complaints that will be forwarded to the already overwhelmed investigative staff. Therefore, the Council respectfully requests report language to provide oversight of these real efficiencies:

(1) Direct EEOC To Finally Pilot The Cost-Saving Intake Plan To Help the Public:

For four years, EEOC has not acted on a Cost Efficient Full Service Intake Plan. This Subcommittee's FY14 Report Language made clear that EEOC must "continue to prioritize

inventory reduction and to examine new ways to address the backlog and increase productivity.” In fact, EEOC failed to reduce the backlog in FY13, rather the backlog grew to 70,781 cases. The Union’s intake plan will address the backlog. The plan staffs each office with a compliment of positions and grades (GS-5 through GS-9) able to advance the intake process from pre-charge counseling through charge filing. The plan produces costs savings by not pushing the intake work to GS11-12 investigators, who instead can investigate cases and reduce the backlog.

The plan also integrates the in-house call-center staff, i.e., Intake Information Representatives (IIRs), who already are classified as Investigator Support Assistants (ISAs) but perform only phone answering duties, into dedicated intake units where they would perform the full range of ISA duties. It is more critical than ever to transition away from the flawed in-house call center model because staffing has plummeted from 64 to 28 IIRs causing wait times of 45 minutes. The logical next step would be an intake plan pilot. Therefore, the Council respectfully requests that report language direct EEOC to finally implement a pilot of the Full Service Intake Plan.

(2) Make EEOC Flatten Supervisor to Employee Ratio to 1:10 to Increase Frontline Staffing:

EEOC’s 2006 field restructuring promised to improve the supervisor to employee ratio to 1:10. Focusing resources on frontline staff who directly serve the public makes great sense, but EEOC never followed through on it. Focusing current and future hiring on frontline staff instead of higher salaried managers is also more cost efficient. With limited relief from sequestration, EEOC is currently doing some modest hiring. This is an ideal time to rebalance the top heavy agency. However, EEOC continues to prioritize filling supervisor and manager vacancies over frontline vacancies. Based on EEOC’s current hiring the agency will add 32 supervisors, yet net only 29 investigators, after internal promotions. The EEOC FY15 budget shows attrition will outpace this sparse hiring, leaving fewer investigators in FY14 than in FY13. EEOC concedes that the dip in investigators will correlate with a further rise in backlog for FY14. Therefore, the Council requests report language directing EEOC to prioritize frontline staff hiring. EEOC should also provide this Subcommittee with a staffing list for each office to oversee getting to the 1:10 ratio.

(3) Require That EEOC Reduce Rental Costs, Improve Morale with Expanded Telework:

As Chairman Wolf has stated, “Work is something you do, not some place you go.” The Telework Enhancement Act of 2010 articulates the efficiency and cost savings of telework. Unfortunately, EEOC is resisting implementation of the provision of the new Collective Bargaining Agreement (CBA), which increases telework one day per biweekly period. EEOC continues leasing the same or even greater space, not accounting for the reduction of needed space if employees voluntarily teleworked the added day in the new CBA. EEOC is also missing an opportunity to improve morale, which is sinking according to Federal workplace surveys.

Bill Language Should Retain Oversight of EEOC Restructuring:

EEOC’s 2006 field restructuring and the way it was carried out drew concerns from House and Senate CJS Subcommittees. The field restructuring added bureaucratic layers, but no frontline staff. EEOC has stated in the past that it plans to restructure its headquarters. The emphasis of a Headquarters restructuring, should be to deploy resources to the field. The Council urges the Subcommittee to retain bill language regarding oversight of restructuring, because this remains a topical concern. Additionally, Congress should ensure a transparent process for stakeholders to provide feedback to any draft reorganization plan(s).

Federal Employees Must Have Rights to Discovery and Full and Fair Hearings before AJs:

EEOC's Strategic Plan calls for "[r]igorous implementation of a new case management system for federal sector hearings and appeals" by FY16. Pilots have shown that the new scheme threatens the judicial independence of Administrative Judges (AJs) to the detriment of Federal employees, who may lose their rights to discovery or a hearing, in favor of numbers. For full and fair hearings, administrative judges also need subpoena authority. Additionally, EEOC recently revised regulations to allow Federal agency complaint processing pilots. EEOC should only approve pilots that call for complete, timely, and impartial investigations. Requiring EEOC reports on approved Federal agency complaint processing pilots and the proposed EEOC case management system would provide valuable oversight to protect the rights of Federal employees. The current proposed revisions to federal case processing and EEOC's MD-715 should remain subject to rule making procedures.

Require EEOC to Compensate Its Workers for Willful Overtime Violations:

A Federal Arbitrator has ruled that between 2006 and 2009, EEOC willfully violated overtime laws. EEOC continues to add to litigation expenses by frivolously extending the claims process. This sad chapter in the "model employer's" history needs to come to an end. EEOC must ensure that the FY14 operating plan and the FY15 budget projects necessary funding for employee overtime payments for the current claims process phase of the arbitration.

Conclusion:

The Council thanks the Subcommittee for the opportunity to provide our views on EEOC's difficult challenges. The Council requests this Subcommittee's continued support to ensure that EEOC can effectively enforce workplace discrimination laws that help Americans get and keep jobs, by including bill and report language for FY15 which: (1) supports increasing EEOC's funding to at least \$370M, the base funding for FY13 pursuant to H.R.933; (2) directs EEOC to hire frontline staff to reduce the backlog; (3) requires EEOC to implement efficiencies, i.e., pilot the Cost Efficient Full Service Intake Plan, reduce supervisor to employee ratio to 1:10, and implement the CBA's additional telework for space savings; (4) directs EEOC to cut unnecessary contracts, travel, training, and conferences; (5) maintains oversight of headquarters and field restructuring, including the Office of Federal Operations; and (6) requires EEOC to budget for necessary funding to compensate employees in the current claims process of a Federal arbitrator's 2009 ruling that EEOC willfully violated overtime laws.

CHART: EEOC'S TROUBLING CUSTOMER SERVICE TRENDS

	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13
FTEs	2,924	2,787	2,617	2,462	2,349	2,250	2,137	2,174	2,192	2,385	2,454	2,346	2,147
Backlog	32,481	29,041	29,368	29,966	33,562	39,946	54,970	73,941	85,768	86,338	78,136	70,312	70,781
Backlog Increase	N/A	-10%	+1%	+2%	+12%	+19%	+38%	+34.5%	+16%	+7%	-10%	-10%	+1%
Charge Receipts	80,840	84,442	81,293	79,432	75,428	75,768	82,792	95,402	93,277	99,922	99,947	99,412	93,727
Resolutions	90,106	95,222	87,755	85,259	77,352	74,308	72,442	81,081	85,980	104,999	112,499	111,139	97,252
Avg. Charge Processing Days	182	171	160	165	171	193	199	229	294	313	293	288	267



Sheriff

KEN J. MASCARA

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March 28, 2014

Via Email: CJApprop@mail.house.gov

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science

Dear Congressman Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

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Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,


Ken J. Mascara
Sheriff

ds

Written Statement of Carol Ann Mason, President, Society for Neuroscience
 (202) 962-4000 - Email: advocacy@sfn.org
 Subcommittee on Commerce, Justice, Science, and Related Agencies
 Appropriations Committee, United States House of Representatives
 In support of FY 2015 Appropriations for the NSF
 March 31, 2014

Mr. Chairman and members of the Subcommittee, my name is Carol Ann Mason, PhD. I am a professor of pathology and cell biology, neuroscience, and ophthalmic science at Columbia University. I study the development of visual pathways in mammalian brains, with a focus on how neurons in the eye are encoded to project to the correct side of the brain, setting up the circuit for binocular vision. This statement is in support of increased funding for the NSF for fiscal year 2015. I am pleased to submit this testimony in my capacity as president of the Society for Neuroscience (SfN).

On behalf of the nearly 40,000 members of SfN, thank you for your past support of neuroscience research at NSF. Chairman Wolf and Ranking Member Fattah, thank you for continuing to fight for increased investments in neuroscience at NSF and throughout the federal government.

The Society stands with others in the research community in requesting at least \$7.5 billion for NSF for FY 2015. Sequestration has taken an enormous toll on the research enterprise, coming on top of recent years when funding has failed to keep pace with the cost of research – let alone the scientific opportunities that are available. SfN urges Congress to reverse the current course and find ways to invest more in scientific discovery. Let's work to put research on a trajectory of sustained growth that recognizes its promise and opportunity as a tool for economic growth and for advancing the health and well-being of Americans.

Neuroscience: An Investment in Our Future

Even in the face of the difficult funding situation, the last several years have been a tremendously exciting and productive time for neuroscience discoveries. Major research advances in brain development, imaging, genomics, circuits, computational neuroscience, neural engineering, and many other disciplines are leading to new tools, new knowledge, and greater understanding that were unimaginable even a few years ago.

All told, there are more than 1,000 debilitating neurological and psychiatric diseases that strike over 100 million Americans each year, costing an estimated \$760 billion a year. Advances made possible by publicly-funded research will help us maintain and restore healthy brain function. Now more than ever, it is time to fan the flames of research in order to ensure life-changing breakthroughs continue.

Resources provided to NSF will support the nation's best and brightest researchers at the forefront of promising discoveries, graduate students at the start of their careers, and the development of advanced scientific tools and infrastructure that will be broadly available to the research community. These researchers are the ones who will be answering some of the vexing questions facing the field of neuroscience: how do the genetic, molecular, and cellular elements

of the brain interact to allow for brain function and behavior? How will new tools such as brain-machine interfaces, computational models, and advanced imaging techniques deepen scientific capacity for inquiry, and contribute to better health and quality of life in the years ahead? NSF is uniquely positioned to address questions of this kind because of its emphasis on integrative and interdisciplinary research and its long history of funding research that leads to the development of life-changing neurotechnologies.

NSF funding is an investment in America. Funding for research supports quality jobs and increases economic activity. In FY 2012 alone, NSF supported 39,862 senior personnel, 4,596 postdoctoral fellows, and 25,550 graduate students through 11,524 awards. Ninety percent of the NSF budget goes right back to fund extramural research in every state. Many of my colleagues can point to their first NSF grant as the launching pad for a career in science.

Finally, without robust, sustained investment, America's status as the preeminent leader in biomedical research is at risk. Other countries are investing heavily in biomedical research to take advantage of new possibilities. Even with the growing philanthropic support, private sector cannot be expected to close the gap. The lag time between discovery and profitability means that the pharmaceutical, biotechnology, and medical device industries need federally-funded basic (also known as fundamental) research to develop products and treatments. The foundation that basic research provides is at risk if federally-funded research declines.

The BRAIN Initiative

The Brain Research through Application of Innovative Neurotechnologies (BRAIN) Initiative – announced by the President last April – will enable NSF and other federal agencies to develop tools and plans that will help accelerate fundamental discoveries in neuroscience. The scientific community is providing direction through diverse workshops being held throughout the country.

The overarching goal of the BRAIN Initiative is to integrate across scales (e.g., genes to behavior) and disciplines (e.g., engineering and life sciences) to establish predictive theories of brain structure and function, and to use these theories to maintain and restore the healthy brain. The Initiative has a strong focus on technology and cyber tool development and the training of new generations of scientists to use the resources that emerge from the BRAIN Initiative, both of which have the potential to benefit all of neuroscience and even non-neuroscience research.

BRAIN – as with all the neuroscience research that takes place with federal support – can only be successful if it is part of a broad effort by Congress and the Administration to prioritize biomedical research so that it can reach its full potential. Such an investment will also help ensure the U.S. remains a global leader, even as other nations ramp up their investments in neuroscience research.

Cross-Disciplinary Neuroscience

NSF-funded basic research continues to be essential for discoveries that will inspire scientific and medical progress for generations. The work supported by NSF has led to the development of new technologies that have revolutionized neuroscience research. The following examples are just a few of the many basic research success stories in the science of the brain emerging now

thanks to interdisciplinary research funded by a strong historic investment in NSF and other research agencies.

Green Florescent Protein

Basic research funded by NSF creates revolutionary advances in science, such as green florescent protein (GFP) — a transformative tool in cellular biology which allows scientists to look at the brain in unprecedented detail. The work that led to its discovery and development for use in research received the Nobel Prize in Chemistry in 2008.

The discovery of GFP revolutionized scientists' view of the nervous system by allowing them to add an incredible range and depth to images of the brain. With this protein and others like it, researchers are applying colors to brain cells to look at under the microscope. This enables them to map intricate details of brain cells, such as how they connect to each other. Understanding these connections and their susceptibility to change helps researchers better understand the healthy brain and how they might be damaged in a variety of disorders.

More than 100 years ago, scientists got their first glimpse at brain cells under a microscope after successfully staining cells with dark pigment. This and similar techniques are limited because they can't be used in living cells and they can only stain in a single color. GFP is a molecule that glows green under blue or ultraviolet light. Since its discovery, scientists have developed similar molecules that glow many different colors. Moreover, GFP can be used to visualize activity of a *living* cell. These light-emitting proteins have been used to illuminate the inner workings of brain cells by letting scientists track the movement of molecules inside the cells or watch how neurons react to environmental stimulation in living brains. Scientists have also used GFP to help answer questions about brain structure by using it to identify specific cells in specific areas and trace connections between two brain areas.

Recently, GFP has been adapted to help trace many brain regions at a time. In 2007, researchers found a way to make brain cells emit one of nearly 100 colors. They genetically engineered mice to carry multiple copies of a chain of three or four genes for different colored fluorescent proteins. In each cell, the combination of the colors emitted from each chain led to unique color blends. Just as a television produces a wide spectrum of colors by mixing red, green, and blue pixels, this so-called "brainbow" technique cast neighboring cells in colors from aquamarine to magenta. This technique allows scientists to map many pathways in the brain to a much larger extent than before and has allowed for a deeper understanding of brain circuits. GFP is now widely used to track everything from how nerve cells develop to how cancer spreads through the body to how HIV travels from infected to non-infected cells. In the field of neuroscience specifically, this technology will continue to evolve and will be instrumental in our efforts to understand brain structure and function.

Brain-Machine Interface

The brain is in constant communication with the body in order to perform every minute motion from scratching an itch to walking. Paralysis occurs when the link between the brain and a part of the body is severed, and eliminates the control of movement and the perception of feeling in that area. Almost two percent of the US population is affected by some sort of paralysis resulting from stroke, spinal cord or brain injury, or other cause. Basic research funded by the NSF has

provided fundamental understanding of how the brain controls movement, which in turn has led to advances in next-generation prosthetics.

In the 1990s, scientists developed an array of electrodes that allowed them to study an unprecedented number of nerve cells at once—almost 50 at a time. This research demonstrated that brain cells communicate in clusters, not in isolation. In other words, cells work together to direct complex behaviors. Since then, scientists have found ways to translate messages from clusters of neurons into a language that an artificial device can understand and convert into movement. Fundamental research in humans and animals led to the discovery that thinking of a motion activates neurons in the same way that actually making the movement would—opening the possibility to control robotic devices using a person’s thoughts.

Thanks to successes in animal research, brain-controlled prosthetics are now being piloted in humans. Paralyzed humans implanted with electrodes can learn to guide a machine to perform various motor tasks such as picking up a glass of water. These advances, while small, enable substantial improvements in the quality of life for people suffering from paralysis. As deeper understanding of the language of the brain occurs in concert with advances in biomaterials, neurotechnologies, and computational power, scientists hope to eventually broaden the abilities of such devices to include thought-controlled speech and more.

Understanding the Development of Vision

My own area of research is the development of the circuits underlying vision. For binocular vision to function, the brain must receive information from both eyes. Nerve fibers from each retina grow to the ‘optic chiasm’ at the midline of the bottom of the brain. Here, nerve fibers from each eye cross to the other side of the brain. Other axons, however, are repelled at the midline and project to the same side of the brain. These connections underlie binocular vision which enables animals, including humans, to calculate how far objects lie in the distance.

One area of my research focuses on how this circuit develops, particularly the molecular mechanisms that prompt some growing retinal nerve fibers to “stop in their tracks” and reroute to the same side. These two groups of cells in the eye, each taking different routes, are endowed with distinct genes that direct their time of birth and their growth to the brain regions where they make their connections with other cells. Understanding their genetic “signatures” and growth helps us to learn how to encourage stem cells to become specific types of retinal cells and integrate into the diseased eye, and stimulate injured nerve fibers to regrow in the correct circuits. Moreover, understanding how tracts are laid down is essential for unraveling the basis of defects in fiber pathways and connections between neurons in neurodevelopmental disorders such as autism.

The development of my career has been made possible through NSF support starting with my NSF Summer Undergraduate fellowship. Next year I will apply for a NSF/NIH Collaborative Research in Computational Neuroscience with a colleague in Australia to model how nerve fibers grow based on live imaging data of developing fiber paths. This research is made possible by a foundation of NSF-funded advances in microscopy that revealed the dynamism of developing and mature neurons. My work further builds upon this foundation for future discoveries on brain circuits and new understanding about diseases of the eye and other

neurodevelopmental conditions.

The Future of American Science

As the subcommittee considers this year's funding levels, please consider that significant advancements in the biomedical sciences often come from young investigators. The current funding environment is taking a toll on the energy and resilience of these young people. America's scientific enterprise — and its global leadership — has been built over generations. NSF alone has awarded over 46,500 Graduate Research Fellowships since 1952. Many young scientists receive their first grants from NSF on their way to having careers as independently-funded investigators. Without sustained investment, we will quickly lose that leadership. The culture of entrepreneurship and curiosity-driven research could be hindered for decades.

We live at a time of extraordinary opportunity in neuroscience. A myriad of questions once impossible to consider are now within reach because of new technologies, an ever-expanding knowledge base, and a willingness to embrace many disciplines. To take advantage of the opportunities in neuroscience we need an NSF appropriation that allows for sustained, reliable growth. That, in turn, will lead to improved health for the American public and will help maintain American leadership in science worldwide. Thank you for this opportunity to testify.

Name: Dr. Zoë A. Meletis

Title: Associate Professor (Geography; Natural Resources and Environmental Studies)

Affiliation: University of Northern British Columbia

Dear Members of the Subcommittee,

I write to you as an international supporter of the NOAA laboratory in Beaufort, North Carolina.

I strongly urge the subcommittee to reject the proposal in the President's FY2015 budget to close the NOAA laboratory in Beaufort, North Carolina, and to instead fund this facility so that the crucial work being done there can continue on into the future. This laboratory is uniquely located to address key marine science issues throughout the east coast of the US, and its loss would represent a devastating blow to the fisheries interests in the region.

As an international researcher with ongoing connections to the lab, I feel that the shutting of this facility would be a loss for conservation science and management from the local to the *international*. While its local ties are many and strong, please do not forget that the relationships connected to the NOAA lab in Beaufort reach far out into the world of research, pedagogy, policy, and management. Many fruitful collaborations anchored in this lab would not occur if the lab was divided and moved—much of the creative pollination between research and management minds occurs because of the existing mix of labs in close proximity in the Beaufort/Morehead City area.

Its location in close proximity to other labs and institutes belonging to the University of North Carolina, North Carolina State University, Duke University, and Carteret Community College, alone, places it in a unique location for collaborative and cooperative marine science-related work. Further, the staff members composing the facility, and its visiting students and scholars, are well connected to and within the communities of Beaufort, Morehead City, and Down East, among other coastal NC locations. In terms of encouraging interdisciplinarity, the lab connects oceanography with physical sciences, veterinary science, social science, environmental management, and much more. And all of this happens via *both* its standalone research and community partnerships, both of which are well noticed by community members and institutions around it.

While completing my PhD (Environment) at the neighboring Duke University Marine Laboratory, between 2004 and 2007, I had the good fortune of being colleague, friend, teammate (soccer), volunteer, and collaborator alongside many NOAA lab groups and individuals. I maintain ties to two research projects designed and funded via expertise at the NOAA lab: one on tourists and marine debris, and one on fishers and marine debris. Both of these unique projects could not have been crafted as skillfully elsewhere—the synergies at this lab, and extended via its various networks, are what brought two teams of strong collaborators together to do interesting and timely work on these topics.

The proposed closing of the Beaufort facility is disappointing to say the least. The United States is known for government research excellence, for encouraging government partnerships with schools, communities, and non-governmental organizations, and for getting citizens interested in and engaged with science. The NOAA lab in Beaufort does all of this and much, more. If the lab closes, this will represent a large loss to surrounding communities and institutions; they have come to rely on the NOAA lab to connect them with key marine issues, projects, and networks. Furthermore, its closure will represent a distinct loss for research conducted on the marine resources in the southeast, by curtailing the synergistic networks for which this lab and its impressive staff act as a hub.

While I am addressing the committee as an international yet US-trained and US-connected private citizen, I am also writing as someone who can attest, both personally and professionally to the quality of the research done at this facility, and the harm that would be caused by its closing.

I remain connected to projects originating at this lab, and I am gleeful when reconnected with the NOAA lab-- whether on research-related conference calls or when meeting old friends at international conferences. I therefore ask you... why close a facility that does invaluable work, fosters unique relationships, represents a key community resource, and acts as a positive research and community building gem in the US government's array of government facilities?

In closing, I would like to encourage you to rethink this suggested closure and to reinvestigate your budgets and your options—can you find a way to let the great traditions of community presence, sound research, educational outreach, inter-lab cooperation, and applied research embodied in unique ways in the Beaufort NOAA lab continue? If so, you will continue to contribute to American excellence in marine research and knowledge mobilization. As a Canadian academic and someone who continues to learn a great deal with the NOAA lab despite being located at the other end of North America (in Northern BC), I sincerely hope that as you lead the passionate and eloquent letters lab supporters will no doubt inundate you with, that you will come to value as much as I do, and to find a way to keep it open.

Sincerely,

(email address and phone number supplied instead of actual signature; am willing to provide a signature by fax if necessary)

Dr. Zoë Meletis

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250-960-5960



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
POLICE DIVISION

DOUGLAS A. MIDDLETON
CHIEF OF POLICE

March 31, 2014

ATTN: CJS APPROPRIATIONS COMMITTEE
CJ.Approp@mail.house.gov

I am writing as a member and supporter of the National White Collar Crime Center (NW3C) and the work it does in helping the Henrico County, Virginia, Police Division. The NW3C has assisted our agency with issues of cybercrime and economic crimes for many years. The training and other support services provided by them are very critical in assisting with homeland security. NW3C provides our agency with the prevention, investigation, and prosecution of economic and high-tech crimes through its intelligence and analytical services, training and research. It is essential to our locality for the \$20 million in funding to be restored to this program for the economic and high tech crime prevention program.

With the continued proliferation of cybercrime threats – both locally and internationally, it is important to have the NW3C who can professionally support local law enforcement in addressing these cybercrimes. Internet crime poses a potentially devastating threat to our nation, especially those financial crimes that affect our trust in e-commerce.

The no-cost support programs for state and local law enforcement including training for financial and computer crime investigations, analytical and public database services, economic crime research, limited financial assistance for designated economic crime cases, as well as the management and staffing of the Internet Fraud Complaint Center is an invaluable asset to local and state law enforcement agencies.

NW3C has always been a responsive and innovative organization committed to the support of state and local law enforcement.

Please do not hesitate to contact me by telephone at (804) 501-4840 or by email at chief@henricopolice.org if additional information is needed. Thank you for your time and attention in this matter.

Sincerely,



Douglas A. Middleton
Chief of Police



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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Joel Moffett, Chairman

Columbia River Inter-Tribal Fish Commission

Testimony on Fiscal Year 2015 Budget

**Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies
United States House of Representatives**

March 31, 2014

The Columbia River Inter-Tribal Fish Commission (CRITFC) is pleased to share our views on the Department of Commerce's FY 2015 budget and has identified the following funding needs:

\$38.2 million for Salmon Management Activities (\$11M above the request) of which:

- \$26.6 million for the Columbia River Mitchell Act hatchery program to implement reforms of which \$6.7 million (or 25% of the enacted amount) is directed to the tribes to enhance supplementation (natural stock recovery) programs;
- \$11.6 million for the Pacific Salmon Treaty Program, of which \$9.76 million is for the implementation of the 2009-2018 Agreement, and previous base programs; and \$1,844,000 is for the Chinook Salmon Agreement Implementation;

\$90 million for the Pacific Coastal Salmon Recovery Fund (\$40M above the request) to support on-the-ground salmon restoration activities.

BACKGROUND: The Columbia River Inter-Tribal Fish Commission (CRITFC) was founded in 1977 by the four Columbia River treaty tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and Nez Perce Tribe. CRITFC provides coordination and technical assistance to the tribes in regional, national and international efforts to protect and restore the fisheries and fish habitat.

In 1855, the United States entered into treaties with the four tribes¹. The tribes' ceded millions of acres of our homelands to the U.S. and the U.S. pledged to honor our ancestral rights, including the right to fish at all usual and accustomed places. Unfortunately, a long history of hydroelectric development, habitat destruction and over-fishing by non-Indians brought the salmon resource to the edge of extinction with 12 salmon and steelhead trout populations in the Columbia River basin listed under the Endangered Species Act (ESA).

¹ Treaty with the Yakama Tribe, June 6, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 9

**Testimony of the Columbia River Inter-Tribal Fish Commission
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Today, the treaties form the bedrock of fisheries management. The CRITFC tribes are among the most successful fishery managers in the country leading restoration efforts and working with state, federal and private entities. CRITFC's comprehensive plan, *Wy-Kan-Ush-Mi Wa-Kish-Wit*, outlines principles and objectives designed to halt the decline of salmon, lamprey and sturgeon populations and rebuild the fisheries to levels that support tribal ceremonial, subsistence and commercial harvests. To achieve these objectives, the plan emphasizes strategies that rely on natural production, healthy rivers and collaborative efforts.

Several key regional agreements were completed in 2008. The Columbia Basin Fish Accords set out parameters for management of the Federal Columbia River Power System for fish passage. New agreements in *U.S. v. Oregon* and the Pacific Salmon Commission established fishery management criteria for fisheries ranging from the Columbia River to Southeast Alaska. The *U.S. v. Oregon* agreement also contains provisions for hatchery management in the Columbia River Basin. The terms of all three agreements run through 2017. We have successfully secured other funds to support our efforts to implement these agreements, including funds from the Bonneville Power Administration (BPA), the Department of Interior, and the Southern Fund of the Pacific Salmon Treaty, to name just few. Continued federal funding support is needed to accomplish the management objectives embodied in the agreements.

Columbia River (Mitchell Act) Hatchery Program: Restoring Pacific salmon and providing for sustainable fisheries requires using the Columbia River Mitchell Act hatchery program to supplement naturally spawning stocks and populations. To accomplish this goal, \$26.6 million is requested for the tribal and state co-managers to jointly reform the Mitchell Act hatchery program. Of this amount, \$6.7 million, or 25% of enacted funding, will be made available to the Columbia River Treaty Tribes for supplementation (natural stock recovery) programs. The Mitchell Act program provides regional economic benefits. NOAA Fisheries estimates that the program generates about \$38 million in income and supports 870 jobs.

Since 1982, CRITFC has called for hatchery reform to meet recovery needs and meet mitigation obligations. In 1991, this subcommittee directed that "Mitchell Act hatcheries be operated in a manner so as to implement a program to release fish in the upper Columbia River basin above the Bonneville Dam to assist in the rebuilding of upriver naturally-spawning salmon runs." Since 1991, we have made progress in increasing the upstream releases of salmon including Mitchell Act fish that have assisted the rebuilding and restoration of naturally-spawning upriver runs of chinook and coho. These efforts need to continue.

We now face the challenges of managing for salmon populations listed for protection under the ESA, while also meeting mitigation obligations. The Draft Environmental Impact Statement (DEIS) for operation of Columbia River basin hatcheries released by NOAA in 2010 illustrates the conundrum we face. While the DEIS, which assumes level funding for Mitchell Act hatcheries, points out the need for hatchery reform, the implementation scenarios for the proposed alternatives to the status quo all call for substantial reductions in hatchery releases. From the tribal perspective the proposed alternatives will not result in the delisting of salmon populations or meet mitigation obligations. Under the proposed alternatives the future is increased regulation under the ESA, resulting in more constrained fisheries along the west coast. The funding for the Mitchell Act program should be increased along with natural stock recovery

**Testimony of the Columbia River Inter-Tribal Fish Commission
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program reform (supplementation) so that we can make progress towards ESA delisting. This would transition the Mitchell Act program to a much more effective mitigation program.

We support hatchery reform to aid in salmon recovery, while meeting mitigation obligations. The CRITFC tribes are leaders in designing and managing hatchery facilities to aid in salmon restoration and believe similar practices need to be implemented throughout the basin to reform current hatchery production efforts. Additional funding is necessary to reform Mitchell Act hatcheries to accomplish conservation and mitigation objectives. Years of inadequate funding have taken a toll resulting in deteriorating facilities that do not serve our objectives.

Evidence to Support Tribal Salmon Restoration Programs under the Mitchell Act: The tribes' approach to salmon recovery is to put fish back in to the rivers and protect the watersheds where fish live. Scientific documentation of tribal supplementation success is available upon request. The evidence is seen by the increasing returns of salmon in the Columbia River Basin. Wild spring chinook salmon are returning in large numbers to the Umatilla, Yakima and Klickitat tributaries. Coho in the Clearwater River are now abundant after Snake River coho was once declared extinct. Fish are returning to the Columbia River Basin and it is built on more than thirty years of tribal projects.

Once considered for listing under the ESA, only 20,000 fall chinook returned to the Hanford Reach on the Columbia River in the early 1980's. This salmon run has been rebuilt through the implementation of the Vernita Bar agreement of the mid-1980s combined with a hatchery program that incorporated biologically appropriate salmon that spawn naturally upon their return to the spawning beds. Today, the Hanford Reach fall chinook run is one of the healthiest runs in the basin supporting fisheries in Alaska, Canada, and the mainstem Columbia River. In 2013, close to 700,000 Fall Chinook destined for the Hanford Reach entered the Columbia River, which was a record since the construction of Bonneville Dam. The predictions are for an even higher return this fall.

In the Snake River Basin, fall chinook has been brought back from the brink of extinction. Listed as threatened under the ESA, the estimated return of naturally-spawning Snake River fall chinook averaged 328 adults from 1986-1992. In 1994, fewer than 2,000 Snake River fall chinook returned to the Columbia River Basin. Thanks to the Nez Perce Tribe's modern supplementation program fall chinook are rebounding and the Snake River fall chinook is well on their way to recovery and ESA delisting. In 2013 about 56,000 fall chinook made it past Lower Granite Dam. Of those, approximately 21,000 were wild, twice the previous record for wild returns since the dam was constructed in 1975.

A Request for Review of Salmon Mass-Marking Programs: CRITFC endeavors to secure a unified hatchery strategy among tribal, federal and state co-managers. To that end, we seek to build hatchery programs using the best available science and supported by adequate, efficient budgets. A Congressional requirement, delivered through prior appropriations language, to visibly mark all salmon produced in federally funded hatcheries should be reconsidered. We have requested that federal mass-marking requirements, and correlated funding, be reviewed for

**Testimony of the Columbia River Inter-Tribal Fish Commission
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compatibility with our overall objective of ESA delisting and with prevailing laws and agreements: *US v Oregon*, Pacific Salmon Treaty and the Columbia Basin Fish Accords².

Salmon managers should be provided the latitude to make case-by-case decisions whether to mark fish and, if so, in the appropriate percentages.

Pacific Salmon Treaty Program: CRITFC supports the U.S. Section recommendation of \$11.6 million for Pacific Salmon Treaty implementation. Of this amount, \$9.76 million is for the Pacific Salmon Treaty base program with Alaska, Oregon, Idaho, Washington, and NOAA to share as described in the U.S. Section of the Pacific Salmon Commission's Budget Justification. In addition, we support \$1.9 million as first provided in 1997 to carry out necessary research and management activities to implement the abundance based management approach of the Chinook Chapter to the Treaty. Costs of the programs conducted by state agencies to fulfill national commitments created by the treaty are substantially greater than the funding provided in the NOAA budget. State agencies supplement the federal appropriation from other sources including: state and federal grants, and the Pacific Coastal Salmon Recovery Fund, to the extent those sources are available.

Pacific Coastal Salmon Recovery Program (PCSRF) / Watershed Restoration: Funding has been sought after by the State of Alaska, the Pacific Northwest states, and the treaty tribes since the renewal of the Pacific Salmon Treaty in 1995. This would serve critical unmet needs for the conservation and restoration of salmon stocks shared in these tribal, state, and international fisheries. The PCSRF program was developed in 2000 to contribute to the shared effort in accomplishing this goal. We recommend restoring the PCSRF FY 2015 funding level to \$90 million. Long-term economic benefits can be achieved by making PCSRF investments on the ground to rebuild sustainable, harvestable salmon populations into the future.

The state and tribal co-managers have responded to concerns raised by Congress regarding accountability and performance standards to evaluate and monitor the success of this coast wide program. The co-managers have developed an extensive matrix of performance standards to address these concerns, which includes the use of monitoring protocols to systematically track current and future projects basin-wide. Tribally sponsored watershed projects are based on the best science, are competently implemented and adequately monitored, and address the limiting factors affecting salmon restoration. Projects undertaken by the tribes are consistent with CRITFC's salmon restoration plan and the programmatic areas identified by Congress.

In summary, the CRITFC and its four member tribes have developed the capacity and infrastructure to lead in restoring and rebuilding salmon populations of the Columbia Basin. Our collective efforts protect our treaty reserved fishing rights and we also partner with the non-Indian community to provide healthy, harvestable salmon populations for all citizens to enjoy. This is a time when increased effort and participation are demanded of all of us and we ask for your continued support of a coordinated, comprehensive effort to restore the shared salmon resource of the Columbia and Snake River Basins. We will be pleased to provide any additional information that this subcommittee may require.

² Letter from Bruce Jim, Chairman, Columbia River Inter-Tribal Fish Commission to U.S. House of Representatives Chairmen Frank Wolf, Mike Simpson and Doc Hastings, July 11, 2011

March 31, 2014

To: Subcommittee on Commerce, Justice, Science, and Related Agencies

The NOAA Beaufort Marine Lab is vital to our coast, not only for the valuable information we learn to be better stewards to the ocean that comprises over 300 coastal miles of water front, but for the students and faculty that utilize the labs. Furthermore, one of the best attributes to our state, the Jean Beasley Sea Turtle Hospital, provides students with an opportunity to help while learning about these pre-historic creatures and the NOAA lab in Beaufort provides the support necessary for this hospital to provide such great service to both the community and the marine life that benefit. Notwithstanding, the NOAA lab provides opportunities for collaboration throughout the North Carolina State University system. With over \$10 million invested in less than 10 years, it is just throwing away good money, much needed resources for the health of the planet, and jobs. Please do not base your decision on inaccurate information. In fact, the money has already been put into the facility since 2006. Furthermore, It is ironic the budget initiative for FY2015 requests increased research funding for coastal ocean issues , including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address many of those very same issues.

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA.

Sincerely,

Bonnie Monteleone
4210 Wilshire Blvd
304B
Wilmington, NC 28403

Native American Rights Fund

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TESTIMONY FOR THE RECORD ON THE FY 2015 BUDGET REQUEST FOR THE DEPARTMENT OF JUSTICE

**Submitted to the
Subcommittee on Commerce, Justice, Science and
Related Agencies,
House Committee on Appropriations**

By the Native American Rights Fund

March 31, 2014

The Native American Rights Fund (NARF)¹ submits this written statement for the record. We respectfully request this Subcommittee's consideration as you develop the FY 2015 Commerce, Justice, Science and Related Agencies appropriations bill of maintaining funding within the Department of Justice (DOJ), the Office of Justice Program's State and Local Law Enforcement Assistance account, at approximately \$3 million as provided in recent years to the Bureau of Justice Assistance, within assistance to Indian tribes for the Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance grant program.

¹ Founded in 1970, the Native American Rights Fund (NARF) is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Indian tribes, organizations and individuals nationwide. NARF's practice is concentrated in five key areas: the preservation of tribal existence; the protection of tribal natural resources; the promotion of Native American human rights; the accountability of governments to Native Americans; and the development of Indian law and educating the public about Indian rights, laws, and issues.

Twenty-five Indian Legal Services programs, which are the Indian program components of the Legal Services Corporation, operate in 23 states. They annually provide both civil and criminal legal representation in tribal courts to hundreds of individual Native American clients, including juveniles, who meet federal poverty guidelines.² Legal work encompasses a broad array of cases, including domestic violence, *pro se* assistance, family member prisoner visitation and re-entry, child welfare and adoption, employment and home foreclosure assistance.

In addition to individual representation, these Indian Legal Services programs are currently assisting more than 160 tribes and/or tribal judicial systems in such activities as tribal court development and improvement, development of tribal dispute resolution and peacemaker/mediation systems, drafting of civil and criminal codes and rules of procedure and other structural development for court implementation, and training of tribal court and justice systems personnel and tribal court lay advocates and guardians *ad litem*.

In many instances, these Indian Legal Services programs have been “on the ground,” in those tribal communities, for decades, an integral part of the legal structure of the reservation communities they serve. The programs’ representation of individual tribal citizens and training for and assistance to tribal governments and tribal judicial systems help keep citizens safe, help assure that tribal justice systems are grounded in solid codes and laws so that those communities can better attract business investments, and provide economic opportunities by training tribal citizens to work in the justice system as advocates and judges. The Indian Legal Services programs’ work in developing and strengthening the institutions of tribal justice and creating a solid legal infrastructure on the reservations ultimately builds sustained economic opportunity and growth in those tribal communities.

These Indian Legal Services programs have received grant funding from DOJ’s Office of Justice Programs’ Bureau of Justice Assistance to supplement Legal Services Corporation resources and other federal grant funds in order to expand services to tribal citizens and tribal justice systems. The Native American Rights Fund serves as the administering agency for these grant funds to the National Association of Indian Legal Services (NAILS), an umbrella association of the Indian Legal Services programs.

Congress appropriated funds that the Department of Justice awarded under the following between FY 2010 and FY 2013 to Indian Legal Services programs:

- in FY 2010, within a total of \$50 million for assistance to Indian tribes, the Bureau of Justice Assistance (BJA) awarded \$3 million under its newly-established, competitive Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance (TCCLA)

² In 2000, Congress enacted the Indian Tribal Justice Technical and Legal Assistance Act (Public Law 106-559), which specifically authorized the Department of Justice to provide grants to “non-profit entities ... which provide legal assistance services for Indian tribes, members of Indian tribes, or tribal justice systems pursuant to Federal poverty guidelines” (emphasis added). The Indian Tribal Justice Technical and Legal Assistance Act of 2000 was reauthorized through FY 2015 as part of the Tribal Law and Order Act (Public Law 111-211).

grant program, and awarded \$1.25 million to Indian Legal Services for civil legal assistance and \$1.1 million for criminal legal assistance.

- under the FY 2011 Continuing Appropriations Resolution, BJA distributed \$2.9 million in awards under the Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance grant program, of which total BJA awarded \$536,363 to Indian Legal Services for tribal civil legal assistance, and \$1.1 million for tribal criminal legal assistance.
- in FY 2012, BJA awarded \$850,659 in TCCLA funds to Indian Legal Services for tribal civil legal assistance, and \$875,000 for tribal criminal legal assistance. Funds for these and other TCCLA awards came from a total of \$38 million appropriated for assistance to Indian tribes within DOJ's State and Local Law Enforcement Assistance account under the FY 2012 Consolidated and Further Continuing Appropriations Act (Public Law 112-55).
- in FY 2013, BJA awarded \$715,944 to Indian Legal Services for tribal civil legal assistance, and \$515,940 for tribal criminal legal assistance, out of a total of \$38 million appropriated for assistance to Indian tribes.

In FY 2014, the Consolidated Appropriations Act (Public Law 113-76) provided \$30 million for "assistance to Indian tribes." We have not yet learned how the Department of Justice intends to allocate those funds. However, we noted that the reports of both the House and Senate Appropriations Committees accompanying their stand-alone FY 2014 CJS appropriations bills directed again that DOJ allocate FY 2014 funds based on tribal consultation for such purposes as tribal courts, alcohol and substance abuse reduction grants, tribal detention facilities, and tribal civil and criminal legal assistance. We are hopeful that this report language encourages some FY 2014 funding to be allocated for the Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance (TCCLA) grant program. The Indian Legal Services programs are currently awaiting an opportunity to submit applications for both tribal civil and criminal legal assistance for the FY 2014 funding cycle, if/once it is announced.

Several state-specific examples follow of the kinds of tribal civil and criminal legal assistance services these Indian Legal Services programs³ are currently offering under grants awarded to them by the Bureau of Justice Assistance (BJA) in the Department of Justice under the Tribal Civil and Criminal Legal Assistance Grants, Training and Technical Assistance grant program during the past few years.

- **Alaska** Legal Services Corporation has partnered with the Association of Village Council Presidents to develop a tribal court support group that assists the 56 tribes in the Yukon-Kuskokwin Delta in building the capacity of their tribal courts.
- Serving the citizens of and located on the Navajo Reservation in **Arizona, New Mexico and Utah**, DNA People's Legal Services has continued its work with the Phoenix Indian

³ Of the 25 Indian Legal Services programs, 24 are receiving BJA funding under awards for Tribal Civil Legal Assistance, and 20 awards for Tribal Criminal Legal Assistance. Programs in Alaska, Colorado, and North Carolina and the Northwest Justice Project in Washington do not have criminal grants.

Medical Center and the Tuba City Court in the implementation of its Urban Indian Project Video-Conferencing system, which enables people who live and work in Phoenix but who have to appear in Tuba City Court to do so by video from Phoenix.

- **California** Indian Legal Services' work includes assisting a tribe with developing a Domestic Violence ordinance, police procedures, banishment ordinance, a firearms policy, and court forms for various causes of actions.
- **Idaho** Legal Aid Services provides both direct legal representation and tribal court assistance on the underserved, remote Duck Valley Reservation, helping to rewrite the tribal traffic code and working with the newly-established Tribal Wellness Drug and Alcohol Court.
- Pine Tree Legal Assistance of **Maine** staff continues to be involved in the Passamaquoddy Criminal Justice and Healing Commission, which was authorized by the Passamaquoddy Tribe to review the tribal criminal and juvenile justice system and to recommend reforms based on traditional values and restorative justice concepts. Pine Tree staff also work with Maine's tribal officials, community leaders and the Maine Indian Tribal-State Commission on development of a formal tribal consultation policy that will apply to criminal and juvenile justice.
- Anishinabe Legal Services of **Minnesota** works extensively with at-risk juveniles of the Leech Lake Band of Ojibwe community, collaborating with the Leech Lake Bamenim Anishinaabeg Program to assist juvenile clients with severe truancy, chemical dependency, and mental health issues to receive education, treatment, counseling, and other holistic wraparound services to avoid out of home placements and further criminal/delinquent behavior and consequences.
- **Montana** Legal Services Association continues to partner with the Northern Cheyenne Tribal Court and the Chief Dull Knife Memorial College, the community college on the Northern Cheyenne Reservation, in an eight-semester tribal advocacy certificate program at the College, which trains students to provide advocacy services on this remote reservation.
- **Oklahoma** Indian Legal Services has been collaborating with the Seminole and Chickasaw Nations' tribal re-entry programs to assist tribal members with expungement of criminal records, so that these individuals may qualify for certain jobs and housing. These efforts will extend to the Sac and Fox Nation this year.
- The Native American Program of **Oregon** Legal Aid Services has worked in partnership with in-house tribal attorneys of the Confederated Tribes of the Umatilla Indian Reservation to update the Tribes' Juvenile Code, which had not been revised since it was originally implemented in 1983.
- **Texas** Rio Grande Legal Aid's attorney has provided representation on criminal matters to tribal members of the Kickapoo Traditional Tribe of Texas (KTTT) and to members of the Kickapoo Tribe of Oklahoma. The KTTT reservation is located in rural Maverick County, near Eagle Pass, TX, and extends into Mexico. Members of both tribes served frequently travel between Oklahoma and Texas, due to having family members in both places. The BJA grant funded-attorney has represented members of the Kickapoo Tribe of Oklahoma when the case was subject to the jurisdiction of Maverick County or the KTTT tribal court.

With respect to the FY 2015 budget request, the Administration has again proposed bill language in General Provisions – Department of Justice for several set-asides for DOJ funding, including a setaside of 7% for tribal criminal justice assistance.

Because the Indian Legal Services programs are not tribal governments, and do not want to have to compete with tribes for DOJ funding⁴, what is most helpful is to have both a specific funding amount for tribal civil and criminal legal assistance, and a reference to the authorizing statute that allows DOJ to award grants for these services (Public Law 106-559).

If in FY 2015 the House Appropriations Committee should agree with the Department's request for a tribal set-aside, or should again, instead, provide an overall "lump sum" amount for "assistance to Indian tribes," we would ask for your consideration of report language, as included in recent years, that would encourage DOJ to make some funding available to non-tribal governmental entities such as Indian Legal Services programs for the provision of tribal civil and criminal legal assistance services.

Prior years' instructive report language of the Appropriations Committees has directed the Office of Justice Programs to consult with tribal stakeholders in determining how the overall amount of funding for tribal assistance will be allocated, and has specifically mentioned tribal civil and criminal legal assistance. That report language has been helpful in ensuring that the Department of Justice provide approximately \$3 million in funding to the Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance grant program, for which Indian Legal Services has competed for funding awards. Funding of approximately \$3 million should be appropriated in FY 2015, as in recent years, for tribal civil and criminal legal assistance, and tribal court development work, as undertaken by Indian Legal Services programs. Thank you for your attention to and consideration of this submission.

Sincerely,

/s/

Steven C. Moore

Steven C. Moore

Senior Staff Attorney

⁴ Having to compete with tribal governments for a portion of the overall DOJ funds for Indian Country assistance is, as a policy matter, something that the Indian Legal Services programs have worked hard over the years to avoid, and which led us to get the initial authorizing legislation enacted in 2000, Public Law 106-559.



**Official Written Testimony for programs under the National Oceanic and
Atmospheric Administration (NOAA) for Fiscal Year 2015**

Submitted To

Subcommittee on Commerce, Justice, Science and Related Agencies

Committee on Appropriations

United States House of Representatives

Washington, DC

Submitted By

Coastal States Organization

Mary Munson, Executive Director

The Coastal States Organization (CSO) is a nonpartisan, nonprofit organization in Washington, DC that represents the Governors of the 35 coastal states, territories and commonwealths and their issues relating to the sound management of coastal, Great Lakes, and ocean resources. CSO was established in 1972 and is recognized as the trusted representative of the collective interests of the coastal states on coastal and ocean management. For fiscal year 2015, CSO supports the following coastal programs and funding levels within the National Oceanic and Atmospheric Administration (NOAA):

Coastal Zone Management Grants Program (§§306/306A/309)	\$70 million
Regional Coastal Resilience Grants	\$10 million
Coastal Zone Management and Services	\$46.472 million
Coastal and Estuarine Land Conservation Program	\$5 million
National Estuarine Research Reserve System	\$22.9 million
Coral Reef Conservation Program	\$26.078 million

The U.S. economy is an ocean and coastal economy and this needs to be reflected in our federal investment into ocean and coastal programs. While only accounting for 18% of the U.S. land area, coastal areas are home to 163 million people and almost 5 million businesses. Home to coastal and ocean dependent industries, including marine transportation, tourism, marine construction, aquaculture, ship and boat building, mineral extraction, and living marine resources, coastal counties contribute \$8.7 trillion to U.S. GDP and employ 67 million people. If these coastal counties were their own country, they would have the world's third largest economy, behind the European Union and the United States. Coasts and oceans are visited by nearly half of all Americans, adding to their health and quality of life. The non-market value of recreation alone is estimated at over \$89 billion. Every American, regardless of where they live, is fundamentally connected to U.S. coasts, oceans, and Great Lakes. These valuable resources are a critical framework for commerce, public recreation, energy, and environmental health and merit robust investment.

Today, our nation's coasts are as vital for our future as they are vulnerable. As a result of their increasing recreational, residential, and economic appeal, there are more pressures on our coastal and ocean resources. This demand, combined with an increase in natural hazards such as sea level rise, extreme weather, and other flooding events, highlight the danger of losing these invaluable national assets. Despite the difficult budgetary times, adequate and sustained funding is needed to support the key programs that are on the front lines of this daily battle, which continually advance

coastal and ocean science, research, and technology to manage our coastal and ocean resources for future generations.

Programs engaged in these important efforts and working to balance the protection of coastal and ocean resources with the sustainable development of the coasts include the Coastal Zone Management Program, Coastal and Estuarine Land Conservation Program, Regional Coastal Resiliency Grants, the Coral Reef Conservation Program, and National Estuarine Research Reserves. These programs reside within the National Oceanic and Atmospheric Administration (NOAA) and provide *direct* funding or services to the states, territories and regions to implement national coastal and ocean priorities at the state, local, and regional level. These types of partnership programs account for only a small portion of the total NOAA federal budget but provide dramatic results in coastal communities. The funding for these programs is cost-effective, as these grants are matched by the states and used to leverage significantly more private and local investment in our nation's coasts. Maintaining funding for these programs that provide on-the-ground services to our local communities and citizens is well worth the investment. In fact, the Federal Emergency Management Agency (FEMA) estimates that every \$1 invested in community resilience it will reduce disaster damages by \$4.

Coastal Zone Management Program (§§306/306A/309)

CSO recommends that these grants be funded at \$70 million. This funding will be allocated among the 34 states and territories that have approved coastal zone management programs. Pursuant to the Coastal Zone Management Act (CZMA), states partner with NOAA to implement coastal zone management programs designed to balance the need to maintain productive coastal and ocean resources with the need for the sustainable development of coastal communities. States have the flexibility to develop programs, policies, and strategies targeted to their state priorities while concurrently advancing national goals. Under the CZMA program, the states receive grants from NOAA, which are then matched with state funding and then often further leveraged with private and local funds. These grants have been used to support and enhance coastal economies by resolving conflicts between competing coastal uses, reducing environmental impacts of coastal development, and providing critical assistance to local communities in coastal planning and resource protection.

These state coastal zone management programs reflect a unique and successful federal-state partnership. Coastal management has become a national priority, as they are critical to building coastal resilience against extreme weather events and educating and guiding communities to build their homes and businesses in ways that minimize the threat of loss. Events like Superstorm Sandy and Hurricane Katrina reinforced the importance of planning ahead. Coastal zone management programs ensure that the national interest in a resilient coast is incorporated in state actions, while respecting the sovereignty, different priorities, and geographic variations of our diverse states.

The CZMA state grants have essentially remained at an even funding level for a decade, resulting in decreased capacity in state coastal zone management programs and less funding available to communities. An increase to more than \$91 million would be necessary to reach *actual* level funding that accounts for inflation since 2001 and would provide an additional \$300,000 - \$800,000 for each state and territory. However, CSO recognizes that the current fiscal climate makes such an increase challenging. By maintaining current funding levels, states and territories would receive between \$850,000 and just over \$2,300,000 to carry out their coastal management programs based on a formula that considers shoreline miles and coastal population. The following

are a few examples of activities in Virginia and Pennsylvania that CZM state grants have recently funded. These types of contributions, and more, can be found around the nation.

Virginia

- In 1999, Virginia CZM initiated oyster restoration efforts using over \$1.5 million and additional leveraged funds to construct more than 80 sanctuary reefs and 1,000 acres of harvest area. In 2007, as pressure mounted to open the sanctuary areas to harvest, Virginia CZM reconvened its partners and created an innovative rotational harvest and buy-back program for large oysters that were returned to the sanctuaries. The yield for this investment has been huge – 23,000 bushels worth \$575,000 in 2001 to 236,000 bushels worth \$8.26 million in 2011. The 2013 harvest was 400,000 bushels – the largest since 1987.
- The Virginia CZM Program has developed, produced and marketed a comprehensive map (Coastal Virginia Ecologically Valuable Areas) of ecologically valuable lands and waters to aid Virginia's coastal localities and partners in targeting high value areas for protection – focusing on those natural features of water and land critical to coastal ecosystem health and supports robust seafood production.
- Along the Atlantic coast of Virginia's Eastern Shore, Virginia CZM is restoring eelgrass and reintroducing bay scallops to the 80-mile long barrier island lagoon system from which they had been extirpated since the 1930s. Reintroduction of bay scallops will bolster the coastal economy through highly lucrative eco-tourism and recreational fishing. The eelgrass restoration provides habitat for crab, flounder and other commercially valuable species, contributes to improving water quality, and stabilizes the entire system by dampening incoming wave energy - all of which contribute to a healthier support system for commercially and recreationally valuable fish populations in this area.
- In addition to these success stories, Virginia has also supported efforts in the Hampton Roads area to make communities more resilient in the face of recurrent flooding and sea level rise, initiated campaigns to promote the use of native plants in the Northern Virginia, Northern Neck and Hampton Roads regions, worked with stakeholders to create 22 new recreational use maps and new maps of shipping and port uses for ocean planning, and supported public access projects in the Cities of Richmond and Norfolk and the Counties of Accomack, Northampton and Gloucester.

Pennsylvania

- Pennsylvania continues to open its coastline to public access through CZMA funding. In Philadelphia, rehabilitation was completed on the previously dilapidated Race Street Pier to provide a new public access; an average of 1,800 weekly visitors have enjoyed its multi-purpose lawn, sky promenade, native plantings, and seating. Additional public access is being realized through CZMA funding of the expansion of the nearby Schuylkill River Trail. The Schuylkill Banks section of the anticipated 130 mile trail sees an average 19,000 user trips per week. Upcoming expansions will open access to new neighborhoods, residents, and visitors of Philadelphia. Additionally, an initial coastal program investment of \$45,000 to expand the new Washington Avenue Green Park leveraged over \$1 million to develop the adjacent pier into a boardwalk, kayak launch, and enhance tidal wetlands.
- In Pennsylvania's Lake Erie Coastal Zone, CZMA is funding construction of Liberty Park Fishing Pier in Presque Isle Bay. The new steel pier, deck, and walkway will enhance Erie's \$36+ million sport fishing industry and provide new recreational opportunities for local inner city youth.

- CZMA funding in PA supports the annual International Coastal Cleanup. An estimated 85,000 pounds of trash was collected in the Delaware Estuary and Lake Erie Coastal zones in 2011 alone. For the past six years, Pennsylvania has funded debris removal and outreach activities. Since then, over 3,000 concerned citizens have removed 257,878 pounds of trash from Pennsylvania land and streams that flow into the Delaware River. In the past decade, over 8,000 volunteers have collected more than 150,000 pounds from the Lake Erie shoreline and watershed.
- In FY 2013 alone, Pennsylvania's Coastal Resources Management Program collected 23,740 pounds of trash around Delaware Bay and 2,288 pounds in the Lake Erie Coastal Zones during the 2013 International Coastal Cleanup, created three new trails which added over one mile of new public access and enhancement of three existing sites, over 10,000 residents, students, and teachers attended coastal zone education programs and events, and acquired a 14 acre forested parcel for public use in the Lake Erie Coastal Zone.

Several years ago, a grant cap of approximately \$2,000,000 per state was instituted to allow for funding to be spread more evenly across the states and territories, so as to prevent most of the funding from going entirely to the larger, more heavily populated states. Now, however, over half of the states have met the cap and no longer receive an increase in funding, despite increased overall funding for CZMA state grants since that cap was introduced. Since the cap was never intended to serve as a barrier to states receiving reasonable increases intended for all states, CSO recommends that the Subcommittee include language in the appropriations bill report that allows the cap to be exceeded when it is fair and consistent with the original purposes of the cap. To that end, CSO suggests language declaring that each state will receive *no less than 1% and no more than 5% of the additional funds over and above previous appropriations*. As was provided previously by the Committee, CSO also requests that language be included in the appropriations bill report that *directs NOAA to refrain from charging administrative costs to these grants*. This is to prevent any undue administrative fees from NOAA from being levied on grants intended for states.

Coastal and Estuarine Land Conservation Program

CSO requests the Coastal and Estuarine Land Conservation Program (CELCP) not be terminated, as has been previously proposed in the President's Budget. Authorized by Congress in 2002, CELCP protects "those coastal and estuarine areas with significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational states to other uses." To date, Congress has appropriated over \$250 million for CELCP. This funding has allowed for the completion of over 175 conservation projects, with more in progress. CELCP projects in 28 of the nation's 35 coastal states have already helped preserve more than 100,000 acres of the nation's coastal assets. All federal funding has been leveraged by at least an equal amount of state, local, and private investments, demonstrating the broad support for the program, the importance of coastal protection throughout the nation, and the critical role that federal funding plays in reaching the conservation goals of our coastal communities.

The conservation of coastal and estuarine areas is critical to both humans and the environment. These natural areas shield communities from devastation brought by coastal storms, protect coastal homes and businesses from sea-level rise and flooding, and filter pollutants to maintain water quality. These areas also provide shelter, nesting and nursery grounds for commercial and ecologically important fish and wildlife, protect rare and endangered species and allow access to

beaches and waterfront areas. CELCP is the *only* federal program entirely dedicated to the conservation of these vital coastal areas.

The need for CELCP funding far exceeds federally appropriated funds in recent years. In the last two funding cycles (FY 2012 and FY 2014), NOAA, in partnership with the states, has identified, deemed eligible, and ranked over \$64.1 million in projects with willing sellers and state funding match available. Adequate and sustained funding is needed to meet the demand of the increasingly high-quality projects developed by the states and submitted to NOAA. The importance of natural barriers in preventing and reducing storm impacts was recognized in the wake of Superstorm Sandy, when these types of areas provided buffers and increased resilience in the face of storm surge. Therefore, we **request your support for minimally restoring funding at the FY 2012 enacted level for CELCP.**

Regional Coastal Resiliency Grants

\$10 million in grants for Regional Coastal Resiliency Grants is needed to provide competitive funding to ensure our states and communities are prepared to face changing ocean conditions, from acidification to sea level rise, changing economic conditions, from recession to emerging ocean uses, as well as major catastrophes, from tsunamis to marine debris clogging waterways. Resilient communities invest proactively to ensure they avoid unnecessary costs – economic, social, and environmental – in the future. These grants will help states, local communities, and other stakeholders produce on-the-ground results that benefit both the economy and the environment, including cutting edge science and practical tools like maps and surveys. This request is an increase above the President’s Request of \$5,000,000 in order to fully establish this key competitive grant program that is designed to promote resilience and address shared risks of weather events and hazards on coastal communities and economies.

Coral Reef Conservation Program

The Coral Reef Conservation provides critical funding to the states and territories to support Local Action Strategies that protect these productive and endangered habitats. The deliverables are on-the-ground and in-the-water actions, increasing the emphasis on place-based management and conservation planning to protect and maintain rich ecosystems that support and bolster economies.

National Estuarine Research Reserve System

The National Estuarine Research Reserve System (NERRS) partners with states and territories to ensure long-term education, stewardship, and research on estuarine habitats. Atlantic, Gulf, Pacific, Caribbean and Great Lakes reserves advance knowledge and stewardship of estuaries and serve as a scientific foundation for coastal management decisions. This unique site-based program around the nation contributes to a systemic research, education and training on the nation’s estuaries.

CSO greatly appreciates the support the Subcommittee has provided in the past. Its support has assisted these programs to work collaboratively to protect our coasts, support coastal economies, and sustain our local communities. Without these competitive grant funds and key NOAA programs, states will not have the resources to help address local and regional coastal resilience needs and priorities, and leverage the federal government’s support and expertise. We appreciate your taking our requests into consideration as you move forward in the FY 2015 appropriations process.



Testimony in Support of Federal Science Funding in Fiscal Year 2015
Submitted to the Subcommittee on Commerce, Justice, Science and Related Agencies
Committee on Appropriations
United States House of Representatives
March 31, 2014

Submitted by
Wendy A. Naus, Executive Director
Consortium of Social Science Associations

On behalf of the Consortium of Social Science Associations (COSSA), I am pleased to offer this written testimony to the House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies for inclusion in the official committee record. For fiscal year (FY) 2015, COSSA urges the Subcommittee to appropriate \$7.5 billion for the National Science Foundation (NSF), \$47.5 million for the National Institute of Justice (NIJ), \$55.4 million for the Bureau of Justice Statistics (BJS), and \$107 million for the Bureau of Economic Analysis (BEA).

COSSA is proud to serve as the united voice for the social and behavioral sciences, bridging the academic research community with federal policymakers. Its membership consists of more than 100 professional associations, scientific societies, universities, and research centers and institutes, representing thousands of scientists working in industry, government, and academia.

National Science Foundation

First, I wish to thank the Subcommittee for its longstanding commitment to ensuring adequate funding for basic research, particularly at the National Science Foundation. The unwavering support of the Chairman, Ranking Member, and other members of the committee is greatly appreciated. Chairman Wolf's leadership will be sorely missed.

COSSA joins many throughout the scientific community in support of \$7.5 billion for NSF in FY 2015, an increase of five percent. This amount would return NSF to its FY 2010 funding level when adjusting for inflation and would allow the agency to recover some of the purchasing power lost in recent years due to sequestration and caps on discretionary spending. The amount would also attempt to put NSF back on track with the vision of the *America COMPETES Reauthorization Act of 2010*, which authorized NSF at \$7.4 billion in FY 2011, \$7.8 billion in FY 2012, and \$8.3 billion in FY 2013. If the U.S. is to maintain its scientific competitiveness on the global stage, we as a nation must continue to prioritize investments in science and technology and not abandon the aspirations set forth in the original *America COMPETES Act* of 2007 and its reauthorization in 2011.

Unfortunately, some in the House of Representatives are seeking to do just that. COSSA is deeply concerned about the impacts the *Frontiers in Research, Science and Technology Act* (H.R. 4186), or FIRST Act, would have on NSF, the scientific community overall, and American innovation and intellectual competitiveness. Not only does the FIRST Act lack vision for the U.S. scientific enterprise by authorizing levels for NSF that would cut funding to the agency in terms of real dollars, it would also degrade NSF's gold-standard merit review process by seeking to micromanage the agency's award-making process. Regrettably, the legislation has become a soapbox for lawmakers wishing to hurl ideological attacks on specific research areas, such as social and behavioral science or climate science. The inclusion of specific authorization levels for NSF's individual science directorates would set a dangerous precedent by allowing Congress to legislate what qualifies as meritorious science, as opposed to continuing to rely on a process that has served this nation well; that is, entrusting qualified experts to make such determinations.

Equally distressing are the attempts to single out the Social, Behavioral and Economic Sciences (SBE) Directorate. The shortsightedness of critics of social and behavioral science research is disappointing. Publicly holding up individual research grants for ridicule based solely on their titles—research projects for which a distinguished panel of scientific peers has determined them meritorious—misleads the American public by asserting that taxpayer funding is being wasted without fully understanding the projects, their intent, and the benefit to society and/or the progress of science.

Should the cuts to the SBE directorate occur as proposed in the FIRST Act, federal support for programs that have proven their value to the U.S. economy, national security, and the health of our citizens would be decimated. Such cuts would undermine the U.S.'s ability to answer questions of national importance, such as how to convince a community in the path of a tornado to seek cover, or statistical analyses that help local governments understand crime patterns, among others. Without this science, and without an understanding of the fundamental nature of who we are, policy-making on major national issues will not be based on evidence and billions of dollars will be wasted.

Consider the breakthroughs that would not have been possible without federal support. For example, research supported by NSF has provided the Federal Communications Commission (FCC) with its current system for apportioning the airwaves via a fruitful, practical application of game theory and experimental economics. Since its inception in 1994, FCC "spectrum auctions" have netted over \$60 billion in revenue for the federal government. The U.S. system of partitioning airwaves is now emulated in several other countries around the world, resulting in total worldwide revenues in excess of \$200 billion.¹

In addition, researchers at Indiana University, Drexel University, and Arizona State University developed spatial models to help manage the location of sex offenders. Their research addressed concerns regarding the impact of sex offender residency laws on a community, considering important factors such as whether residency restrictions lead to high concentrations of offenders in specific areas, distribute the risk across a community equitably, and keep sex offenders from living near minors. Improving the development and evaluation of sex offender residency policies

¹ *Bringing People Into Focus: How Social, Behavioral and Economic Research Addresses National Challenges*, National Science Foundation (NSF 13-62).

in advance of any legislation allows public officials the opportunity to consider the resulting distribution of offenders in terms of local residents, better meeting the needs of communities.²

Finally, researchers at Washington University in St. Louis investigated emotion recognition using nonverbal cues such as facial expressions, vocal tones, and body language. Based on this research, the Army Research Institute now incorporates education on nonverbal communication into soldier training, thereby assisting troops in understanding cross-cultural, nonverbal communication with non-English speaking citizens with whom they interact overseas. Thus, this research has the potential to provide human solutions in military situations. It has been demonstrated that enhancing troops' interpersonal skills can enable them to anticipate and diffuse conflict, as well as facilitate cooperation, negotiation and compromise.³

At a time when we should be investing in our knowledge economy and doing all we can to encourage a diverse scientific workforce, efforts are being made through the FIRST Act and other means to set us back even further. This legislation would have a chilling effect, discouraging the next generation of researchers to embark on science careers.

The U.S. scientific enterprise must remain insulated from political and ideological pressure if we are to encourage the most innovative science. COSSA urges the Subcommittee to appropriate \$7.5 million for NSF in FY 2015 and object to proposals that would undermine the peer review process by legislating funding levels for NSF science directorates. Further, as you move through the appropriations process this year, COSSA further urges you to discourage and object to amendments that would defund or otherwise compromise specific research areas or programs at NSF, as we saw with the political science amendment in FY 2013.

National Institute of Justice and Bureau of Justice Statistics U.S. Department of Justice

COSSA urges the Subcommittee to appropriate \$47.5 million for the National Institute of Justice (NIJ) and \$55.4 million for the Bureau of Justice Statistics (BJS) within the U.S. Department of Justice (DOJ). These levels are equal to the President's FY 2015 budget request. Taken together—roughly \$100 million—this modest investment represents the only pot of federal research dollars committed to enhancing our understanding of crime and the criminal justice system.

As the research arm of DOJ, NIJ plays a critical role in helping us understand and implement science-based strategies for crime prevention and control. The President seeks additional investment for the Comprehensive School Safety Initiative in FY 2015 as part of the Opportunity, Growth, and Security Initiative; the initiative received \$75 million in FY 2014. COSSA urges the Subcommittee to continue its support for this critical activity, the research from which will help ensure that policies and investments made at U.S. schools to address the safety of students, teachers and administrators will be evidence-based.

² *Bringing People Into Focus: How Social, Behavioral and Economic Research Addresses National Challenges*, National Science Foundation (NSF 13-62).

³ *Ibid.*

BJS' national data collections play an important role in providing statistical evidence needed for criminal justice policy decision makers. In particular, these programs provide the critical data infrastructure supporting the Administration's commitment to focus on data-driven, evidence- and information-based, "smart on crime" approaches. COSSA supports the request for an additional \$1 million for the National Survey of Public Defenders and an additional \$1.5 million for the National Public Defenders Reporting Program. Further, we endorse the Administration's efforts to "explore the feasibility of statistical collections in important topical priority areas, including: recidivism and reentry, prosecution and adjudication, criminal justice data improvements and victimization statistics."

Increased investment in criminal justice science is needed to ensure future policies and decisions are evidence-based and to contain escalating costs associated with public safety. COSSA applauds NIJ's increased efforts to disseminate research results to practitioners, putting it in the hands of those who need it.

**Bureau of Economic Analysis
Department of Commerce**

COSSA urges the Subcommittee to appropriate \$107 million for the Bureau of Economic Analysis (BEA) within the U.S. Department of Commerce. This is equal to the amount included in the FY 2015 budget request. BEA plays a critical role in helping the nation understand our economy through the National Income and Product Accounts, which provides economic data at the national as well as industry levels, and other activities.

BEA proposes a new \$1.9 billion initiative in FY 2015, "Big Data for Small Business." This would allow BEA to create a new Small Business Gross Domestic Product to track the health of the U.S. small business sector, thereby addressing the need for more public data relating to small businesses.

Thank you for the opportunity to express these views on behalf of the social and behavioral science community. Please do not hesitate to contact me should you require additional information.

Judith A Niemeyer, Ph.D.
 Sea Turtle Volunteer & Advocate
 Karen Beasley Sea Turtle
 Rescue & Rehabilitation Center

RE: NOAA's National Ocean Service's Request to Close the Beaufort Laboratory

As a North Carolina Sea Turtle volunteer, it is important that the Beaufort Laboratory not be closed!! It is critical to the support of our activities with the sea turtles in North Carolina. I therefore urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Inaccurate and outdated information was used in the analysis that led to the request to close this facility. In recent years, NOAA has invested a large amount of money (approximately \$14 million) for new construction and renovation at the Beaufort Laboratory.

The closure of the Beaufort Laboratory will likewise impact a total of 108 staff and contractors who will be unemployed. These include 71 Full time federal staff members, 40 National Marine Fisheries staff, 31 National Ocean Service staff, 33.5 Contract positions and 8 NC NEERs staff. This will greatly impact the local economy.

While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to another center to support Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia, pathogens and Species Distributions. It is ironic the budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address many of those very same issues.

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support, both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA.

I request that you do the following:

- NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.

- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

Thank you for allowing me to voice my concerns in this issue.

Judith A Niemeyer, Ph.D.
Professor Emeritus
University of North Carolina Greensboro
Volunteer, Karen Beasley Sea Turtle Rescue and Rehabilitation Center
204 Lazy Day Dr.
Surf City, NC 28445

www.hernandosheriff.org

SHERIFF
Al Nienhuis

Hernando County Sheriff's Office

P.O. BOX 10070 - BROOKSVILLE, FL 34603-0070 FAX 352 796-0493 PHONE 352 754-6830

March 27, 2014

The Honorable Frank Wolf
 Chairman, House Subcommittee on Appropriations
 Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. In Hernando County, we have had 125 undocumented aliens incarcerated over the last two years. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Al Nienhuis".

Al Nienhuis
 Sheriff



PROMOTING STEWARDSHIP OF WHALES AND THE SALISH SEA ECOSYSTEM THROUGH EDUCATION AND RESEARCH

**The Whale Museum/
San Juan County Marine Mammal Stranding Network**
Jenny Atkinson, Executive Director
Jennifer Olson, Network Coordinator

March 27, 2014

Reinstate Funding for Nationwide Mammal Stranding Networks (the John H. Prescott Marine Mammal Rescue Assistance Grant Program) administered by NOAA

To The House Subcommittee on Commerce, Justice, Science, and Related Agencies

Dear Representatives:

In response to the Administration's decision to de-fund the John H. Prescott Marine Mammal Rescue Assistance Grant Program from the FY 2015 federal budget, we are writing to urge your support to reinstate this program as there are many serious consequences to stopping these stranding networks.

Nationwide, marine mammal stranding response networks are run primarily through non-profits and other non-government entities and coordinated through NOAA's National Marine Fisheries Service (NMFS). These networks perform an array of important functions, typically with little fanfare, as they respond to an average of more than 5,000 marine mammal strandings each year. San Juan County Marine Mammal Stranding Network (SJCMMSN) is operated through The Whale Museum in Friday Harbor, WA. San Juan County encompasses ~400 miles of marine shoreline, the longest of any county in the United States. Nearly 30 species of marine mammals have been sighted in these waters, making it an important area to monitor marine mammal strandings. Between 1981 and 2002, SJCMMSN operated opportunistically as funds allowed. Prescott funding in 2002 permitted the Network to greatly enhance its effectiveness in stranding response and to start a systematic postmortem necropsy program. Since 2002, 2,251 stranding calls came into the Network and 297 necropsies have been performed. Diseases diagnosed include diseases significant to the health of humans, marine mammals and domestic animals. **Without federal support, most of this vital work will cease.**

Stranding network personnel are the nation's first responders to both live and dead marine mammals that come ashore, often in developed coastal communities. Responders are in fact often the sole entity to intervene between a wild and potentially dangerous marine animal and a curious, but largely unwitting, public. Since the passage of the Marine Mammal Protection

Letter from The Whale Museum dated March 28, 2014
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Act in 1972, U.S. populations of seals and sea lions (pinnipeds) have increased, leading to a growing and worrisome trend of human-pinniped interactions. Moreover, live marine mammals on the beach are frequent victims of harassment from people (and their dogs), and they in turn can cause injuries or spread diseases to unsuspecting beachgoers. Although both federal and state anti-harassment laws protect marine mammals, enforcement agencies typically lack the resources to be responsive in the vast majority of cases.

Biological specimens collected from stranded animals allow network responders to perform surveillance for emerging, infectious, and zoonotic (transmissible to people) diseases in areas frequented by the general public. Infectious diseases, in fact, have been showing up in marine mammals at an alarming rate in recent years. Since 2010, SJCMMSN has diagnosed multiple diseases of human health concern in San Juan County including the isolation of *Salmonella arizonae* from a harbor seal pup, parapox virus infection in a Steller sea lion, Methicillin-resistant *Staphylococcus aureus* (MRSA) infection in a harbor seal, *Salmonella* Litchfield and *Salmonella typhimurium* in harbor seals, *Vibrio parahaemolyticus* in a harbor porpoise, and *Pasteurella multocida* in a harbor seal pup. Network responders play an essential and unique role in identifying such dangerous pathogens in marine mammals sharing the shore with us. Our work is necessary not only for minimizing risks to public health and safety, but for developing a better understanding of the health risks facing these animals and ecosystem well-being more broadly.

Fundamentally, marine mammals are widely considered to be sentinels of ocean health, akin to the proverbial canary in a coal mine, our first line of detection of ominous man-made pollutants or changes in the marine environment. For example, several animals in San Juan County have been identified with elevated liver cadmium levels including three harbor seals and a mink. Cadmium can accumulate in human liver and kidneys and cause damage at high concentrations. It has been a recognized health concern in the Puget Sound area since 1999 when shipments of oysters from this region were barred from entering Hong Kong because cadmium concentrations exceeded 2 ug/g ML. Small amounts of cadmium are naturally found in soil, air and water; however, human activities such as mining, smelting and fuel combustion can increase exposure to humans through food chain biomagnifications. Finding mink and harbor seals with elevated cadmium levels in San Juan County could be an early warning sign for humans and might warrant further investigation.

Beyond studying these naturally occurring events, stranding networks are responsible for documenting and investigating a host of anthropogenic causes of marine mammal illnesses and deaths, including fishery by-catch, ship strikes, illegal shootings, bioaccumulation of persistent toxic contaminants, and the effects of severe noise (such as ship traffic, naval sonar, and seismic activities in oil and gas exploration). In the future, stranding networks will be vigilant for signs of lethal interactions with wave and wind energy devices (currently under development), the planned expansion of naval testing ranges, the effects of sonar and seismic surveys, as well as underwater detonations, associated with coastal construction and ship shock trials.

Letter from The Whale Museum dated March 28, 2014
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Marine mammal strandings provide a unique opportunity to investigate the threats facing endangered species. For example, the U.S. National Marine Fisheries Service indicated improved killer whale stranding response as a crucial part of the Southern Resident Killer Whale (SRKW) Recovery Plan of 2008. In February of 2012, a three-year-old Southern Resident killer whale (L-112) stranded along the coast of Washington. This rare opportunity led to a two-year investigation of her death and was a collaborative effort from many networks in the region. Without federal funding, this investigation would not have been possible, and a chance to further the efforts of federally-listed endangered SRKW conservation would have been lost.

The federal government has a vested interest in maintaining its financial support of stranding response works. Congress has mandated NOAA Fisheries with the responsibility for assuring that such monitoring is performed. Title IV of The Marine Mammal Protection Act of 1972 As Amended 2007, 16 U.S.C. 1421a, states:

“The Commerce Secretary shall, in consultation with the Secretary of the Interior, collect and update periodically, existing information on—(1) procedures and practices for—(A) rescuing and rehabilitating stranded marine mammals, including criteria used by stranding network participants, on a species-by-species basis, for determining at what point a marine mammal undergoing rescue and rehabilitation is returnable to the wild; and (B) collecting, preserving, labeling, and transporting marine mammal tissues for physical, chemical, and biological analyses; (2) appropriate scientific literature on marine mammal health, disease, and rehabilitation; (3) strandings, which the Secretary shall compile and analyze, by region, to monitor species, numbers, conditions, and causes of illnesses and deaths of stranded marine mammals; and (4) other life history and reference level data, including marine mammal tissue analyses, that would allow comparison of the causes of illness and deaths in stranded marine mammals with physical, chemical, and biological environmental parameters. (C) Availability. — The Secretary shall make information collected under this section available to stranding network participants and other qualified scientists.”

But NOAA Fisheries is in no way equipped to do this work independently. They in fact rely upon legions of non-government stranding network responders to execute this data collection. And without continued financial support to stranding networks, NOAA will clearly fail to fulfill its congressional mandate to “compile and analyze, by region, to monitor species, numbers, conditions, and causes of illnesses and deaths of stranded marine mammals.”

The American public appropriately expects “authorities” to be responsive to these issues. When a whale, dolphin or seal washes up on a beach, there is a reasonable assumption that a responsible entity will do their due diligence to investigate the event and learn all it can about what that stranding might mean for the public, as well as ocean health. As the marine environment becomes increasingly degraded from human activities, the onus for monitoring these changes will only become more urgent. Animals will certainly continue to strand, likely in increasing numbers over time, but without funding, we will be left unable to answer the significant resulting questions. And in the absence of a proper authoritative response, members of the general public will likely attempt to take matters into their own hands,

Letter from The Whale Museum dated March 28, 2014

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unaware of the risks they face from disease transmission and physical injury from handling these dangerous animals. Unfortunately, it doesn't seem that NMFS is prepared to deal with the likely public backlash of such an abdication of responsibility for these popular charismatic species.

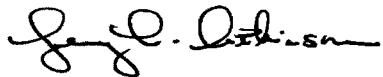
It is understandable that in this economy, facing high deficits and strong political pressure to cut government spending, the Administration has had to make difficult budgetary decisions. De-funding the Prescott program might at first glance be seen as low-hanging fruit, but such a conclusion would be misguided. Since the inception of the Prescott Program in 2000, more than \$36 million in federal dollars have been provided to the national stranding network in the form of competitive grants. In return, Prescott Grant recipients have provided more than \$12 million in matching cost share contributions from their own resources and fund-raising efforts and enlisted the voluntary help of thousands of no-cost assistants. With this leveraging of non-federal sources, the Prescott program provides a tremendous return on its investment. Moreover, Prescott Program funding creates and supports a multitude of jobs and additional specialized resources that would not be possible otherwise.

The bottom line is that there are no other entities ready, willing and able to fund the majority (and most critical aspects) of marine mammal stranding response network duties. Continuing that work is clearly in the public interest, has high public support, and is demanded by the professional conversation and management community who have high expectations that the networks will maintain a pulse on the health of oceans. This research provides important health monitoring and science functions which need to be maintained. We urge you to reinstate Prescott funding for Nationwide Marine Mammal Rescue Assistant and Stranding Networks.

Sincerely,



Jennifer Olson
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Marine Mammal Stranding Network
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**Testimony in Support of FY 2015 Funding for the
National Science Foundation**

March 31, 2014

Submitted by:

Larry Page, Ph.D.
President

Natural Science Collections Alliance
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Submitted to:

House Committee on Appropriations
Subcommittee on Commerce, Justice, Science and Related Agencies

The Natural Science Collections Alliance appreciates the opportunity to provide testimony in support of fiscal year (FY) 2015 appropriations for the National Science Foundation (NSF). We encourage Congress to provide the NSF with at least \$7.5 billion in FY 2015.

The Natural Science Collections Alliance is a non-profit association that supports natural science collections, their human resources, the institutions that house them, and their research activities for the benefit of science and society. Our membership consists of institutions that are part of an international community of museums, botanical gardens, herbaria, universities, and other institutions that contain natural science collections and use them in research, exhibitions, academic and informal science education, and outreach activities.

The Role of NSF in Scientific Excellence

Federal support for science is an investment in our nation's future. The NSF supports research that creates new knowledge and helps to drive innovation and economic growth. NSF-supported research has led to improvements in human health, food and national security, energy, and natural resource management.

NSF provides the support that trains the next generation of researchers and science educators. The agency supports graduate student research training programs that help maintain our nation's global competitiveness. Moreover, K-12 education initiatives ensure a pipeline of scientifically skilled workers for tomorrow's jobs.

America's continued excellence in science and technology depend on sustained investments in research and science education. The progress of basic research requires a steady federal investment. Unpredictable swings in federal funding can disrupt research programs, create

uncertainty in the research community, and impede the development of solutions to the nation's most pressing problems.

Biological Research at NSF

NSF's Biological Sciences Directorate (BIO) is the primary federal funding source for fundamental biological research. BIO serves a vital role in ensuring our nation's continued leadership in the biological sciences by providing about 66 percent of federal grant support for basic biological research conducted at our nation's universities and other nonprofit research centers, including natural history museums.

Given the importance of BIO in supporting biological research, the scientific community is deeply concerned about the proposed \$12.8 million cut from the directorate's budget. This is a larger reduction than is proposed for any other NSF directorate, both in terms of actual dollars and by percentage. The result would be further erosion of the funding rate for research grants, which has hovered below the funding rate for all of NSF for more than a decade.

BIO's support of transformative research has advanced our understanding of complex living systems and is leading the way forward in addressing major challenges, such as understanding how biological species diversity helps to regulate environmental systems, identifying novel and cost-effective methods for combating invasive species, and developing new bio-inspired technologies.

Equally important, BIO provides essential support for our nation's biological research infrastructure, such as natural science collections and natural history museums. These research centers enable scientists to study the basic data of life, conduct modern biological and environmental research, and provide undergraduate and graduate students with hands-on training opportunities.

Support for Scientific Collections

Scientific collections play a central role in many fields of biological research, including disease ecology and biodiversity science. NSC Alliance's member institutions also provide critical information about existing gaps in our knowledge of life on Earth. Indeed, the federal Interagency Working Group on Scientific Collections recognized this value in their 2009 report, which found that "scientific collections are essential to supporting agency missions and are thus vital to supporting the global research enterprise."

We strongly encourage Congress to sustain NSF's support for the digitization of high priority U.S. specimen collections. NSF's investment in digitization is enabling the scientific community to ensure access to and appropriate curation of irreplaceable biological specimens and associated data, and has stimulated the development of new computer hardware and software, digitization technologies, and database management tools. This effort is bringing together biologists, computer science specialists, and engineers in multi-disciplinary teams to develop innovative imaging, robotics, and data storage and retrieval methods. These tools will expedite the

digitization of collections and contribute to the development of new products or services of value to other industries.

The FY 2015 request would also sustain a new program to link long-term planetary biodiversity data with specimen and collections data. This integration of data will enable novel interdisciplinary research in biodiversity science.

Other NSF Programs

The Dimensions of Biodiversity program supports cross-disciplinary research to describe and understand the scope and role of life on Earth. Despite centuries of discovery, most of our planet's biological species diversity remains unknown. This lack of knowledge is particularly troubling given the rapid and permanent loss of global biological diversity. Better understanding of life on Earth will help us protect valuable ecosystem services and make new bio-based discoveries in the realms of food, fiber, fuel, pharmaceuticals, and bio-inspired innovation.

The Directorate for Geosciences (GEO) would receive a one percent increase in FY 2015. GEO supports research and student training opportunities in natural history collections. GEO also supports cross-disciplinary research on the interactions between Earth's living and non-living systems – research that has important implications for our understanding of water and natural resource management, climate change, and biodiversity.

Within the Directorate for Education and Human Resources, the Advancing Informal STEM Learning program is furthering our understanding of informal science, technology, engineering, and mathematics (STEM) education. This program supports projects that create tools and resources for STEM educators working outside traditional classrooms, such as at museums, botanic gardens, and zoos.

Conclusion

Continued investments in the NSF programs that support natural science collections research and education are essential if we are to maintain our global leadership in innovation. Sustained investments in NSF will help spur economic growth and new discoveries and continue to build scientific capacity at a time when our nation is at risk of being outpaced by our global competitors. Please support an investment of at least \$7.5 billion for NSF for FY 2015.

Thank you for your thoughtful consideration of this request and for your prior support of the National Science Foundation.

Mr. Jason Patlis, President and CEO, National Marine Sanctuary Foundation
Testimony Submitted to the House Appropriations Subcommittee on Commerce, Justice,
Science, and Related Agencies

“FY15 Commerce, Justice, Science, and Related Agencies Appropriations”

March 31, 2014

FY15 Appropriations Request

Since 2000, the National Marine Sanctuary Foundation (NMSF) has worked with Congress and the National Oceanic and Atmospheric Administration (NOAA) to connect fellow citizens to the underwater places that define the American ocean – the National Marine Sanctuary System. We remain concerned that NOAA’s Office of National Marine Sanctuaries (ONMS) has not received sufficient appropriations for several consecutive budget cycles. In recognition of the coastal job creation benefits provided by national marine sanctuaries – especially through the procurement of vessels and construction of visitor centers – NMSF respectfully requests that the subcommittee remedy this situation by appropriating:

- ***\$5.5 million to the National Marine Sanctuary Program – Construction/Acquisition Base, within NOAA’s Procurement, Acquisition, and Construction account; and***
- ***\$51 million to the Sanctuaries and Marine Protected Areas Base, within NOAA’s Operations, Research, and Facilities account.***

Joining NMSF in this request is the national network of community-based, non-profit organizations that support sites within the sanctuary system. On behalf of their members, the Channel Islands Sanctuary Foundation (CA), Cordell Marine Sanctuary Foundation (CA), Farallones Marine Sanctuary Association (CA), Friends of Thunder Bay National Marine Sanctuary (MI), Hawai’i National Marine Sanctuary Foundation (HI), Monterey Bay Sanctuary Foundation (CA), Olympic Coast Alliance (WA), Sanctuary Friends Foundation of the Florida Keys (FL), and Stellwagen Alive! (MA) support funding the National Marine Sanctuary System at these levels (Appendix I).

While we recognize the challenges associated with providing increased funding in the current budget climate, and the need to fund other important programs under the jurisdiction of the subcommittee, we believe that the President’s FY15 budget request fails to address critical sanctuary contributions to coastal job creation and economic growth, from supporting tourism to providing construction jobs. It also continues a disturbing trend of underfunding the sanctuary program – despite nearly a decade’s worth of unmistakable signals from Congress that the program warrants additional funds.

The National Marine Sanctuary System and NOAA’s Office of National Marine Sanctuaries

Encompassing more than 170,000 square miles of marine and Great Lakes waters from Washington State to the Florida Keys, and from Lake Huron to American Samoa, the National Marine Sanctuary System includes 13 national marine sanctuaries and the Papahānaumokuākea Marine National Monument. Sanctuaries protect vibrant ocean ecosystems such as coral reefs and kelp forests, conserve essential habitat for endangered and commercially-important marine species, and safeguard historically significant shipwrecks and cultural resources.

In annual appropriations bills, Congress provides funding to ONMS through separate accounts for operations and procurement. Both of these accounts are vital components of maintaining a robust and effective sanctuaries program.

- The Operations, Research and Facilities (ORF) account funds daily operation of a wide variety of education, research, monitoring and management programs in all 14 sites managed by ONMS. Activities funded by ORF include development and implementation of management plans, research and monitoring programs, cultural resource programs and education & outreach activities; coordination and collaboration with partners; permitting; and management of volunteer programs and citizen advisory councils.
- The Procurement, Acquisition and Construction (PAC) account funds the purchase and overhaul/restoration of assets, including facilities and vessels, across all 14 sites managed by ONMS. Activities funded by PAC include the construction of sanctuary visitor facilities and exhibits, signage and kiosks; development of cooperative centers for education and outreach; and safety improvements, Americans with Disabilities Act-required upgrades, and replacement and repair for NOAA-owned facilities.

National Marine Sanctuaries are Unique and Successful Ocean Conservation Tools

Generations of Americans have grown up, worked jobs, and supported their families on the waters of our national marine sanctuaries. Among all the statutes enacted by Congress to govern ocean resources, the National Marine Sanctuaries Act stands alone in terms of the comprehensiveness, community participation, transparency and balanced approach that it provides for all stakeholders. A recent, independent legal analysis concluded that “the National Marine Sanctuaries Act is the best existing mechanism available for preserving ocean ecosystems,” due to sanctuaries’ commitment to public participation, community engagement, and use of a place- and ecosystem- based approach.¹

Unlike most other ocean resource laws, which focus on controlling specific activities or managing specific species, the National Marine Sanctuaries Act protects nationally significant places and their natural, historical, and cultural riches. Experience shows that this approach is vital to maintaining the healthy seascapes that underpin our productive coastal economies, supporting thousands of businesses while maintaining public access for recreation, research, and education. The return on investment in sanctuaries is simply too valuable to ignore.

National Marine Sanctuaries are Economic Engines for Coastal Communities

National marine sanctuaries are vital to the success of coastal businesses and job creation. According to the National Ocean Economics Program, 70% of ocean and coastal employment – over 2 million jobs in 2011 – in the tourism and recreation sector depends on visitor opportunities that require the clean beaches, clean water, and abundant fish and wildlife promoted by national marine sanctuaries. Benefits of funding national marine sanctuaries far outweigh the federal outlays that support them:

- **Over 64,000 jobs and \$4.5 billion** in GDP contributed annually from the marine tourism and recreation sector in the two counties adjacent to Florida Keys National Marine Sanctuary, which protects coral reefs and legal fishing opportunities that are the backbone of the industry.²
- Over **\$126 million** in commercial whale watching revenue resulting from less than \$2 million invested in the Stellwagen Bank National Marine Sanctuary off the coast of Massachusetts, in addition to supporting 31 businesses and almost 600 jobs.³
- **2,100 jobs and a \$291 million** budget from cutting-edge marine science and education focused on the waters of the Monterey Bay National Marine Sanctuary in California, more than 100 times the less than \$3 million investment by taxpayers.⁴
- **\$110 million** in visitor spending annually in the three counties adjacent to Thunder Bay National Marine Sanctuary in Michigan.⁵

National Marine Sanctuaries Start and Stay in Local Communities

Public participation is a hallmark of the sanctuary program. Coastal communities have a controlling influence on sanctuary priorities, ensuring that they address unique, local circumstances. All sanctuary rules and regulations are developed on a site-by-site basis, and sanctuaries are designed from the outset to accommodate multiple uses of the ocean. This community-driven approach to decide where sanctuaries are located and what is allowed within them is one of the most public in our democracy – and it's only one reason why 98% of sanctuaries remain open to fishing.

National marine sanctuaries are created by and for the people: citizens and communities around the nation have recognized the benefits of sanctuaries and have expressed strong interest in establishing sanctuaries in their own coastal waters. In addition, over 700 Sanctuary Advisory Council representatives from the fishing, tourism, and maritime commerce industries; Tribes, state and local government; and researchers, educators, and conservationists spend over 13,000 hours each year to help manage sanctuary operations day-to-day. Sanctuaries are also hubs for volunteer activity: over 100,000 hours are contributed by local sanctuary volunteers each year, and sanctuary volunteer programs in California and Hawai'i have won the federal government's Take Pride in America Award (for Outstanding Federal Volunteer Program) in past years.

National Marine Sanctuaries and Education

Through education and outreach programs, national marine sanctuaries function as living classrooms delivering first-hand experiences that provide students with the knowledge and tools to act as responsible ocean stewards. Science, technology, engineering and mathematics (STEM) education programs are a key part of national marine sanctuaries mission.

Within ONMS, we strongly encourage you to oppose any efforts to move or terminate the Dr. Nancy Foster Scholarship Program (NFSP). Nancy Foster Scholars experiences confirm that the direct connections between students and active researchers in sanctuaries are critical for the effectiveness of the NFSP. While we support the Administration's efforts to recognize efficiencies across the government's STEM education enterprise, the Dr. Nancy Foster Scholarship Program should remain administered by ONMS, as consistent with the National Marine Sanctuaries Act.

We are also deeply concerned with the Administration's recent proposal to terminate graduate STEM education programs in the National Oceanic and Atmospheric Administration without specific plans to revive such programs elsewhere in the federal family. Eliminating important education infrastructure, such as NOAA Office of Education's Bay Watershed Education and Training (B-WET) and NOAA Teacher at Sea programs, hinders national marine sanctuaries ability to deliver meaningful watershed education programs.

National Marine Sanctuaries' Programmatic Outlook under Reduced FY15 Funding Levels

In recent years, a combination of funding decreases and level-funding has resulted in layoffs and cutbacks to mission critical National Marine Sanctuary programs. A lack of funds results in cuts to public access and recreation opportunities, cancellation of partnerships that leverage private funds for taxpayer benefits, and the dismantling of successful education initiatives. We project that additional budget cuts will result in reduced operations at visitor centers; a lack of contingency funding needed in case of emergencies like oil spills; and additional inoperable vessels tied up at the docks. Of particular concern are proposals to reduce funding for necessary and ongoing renovation and construction projects, and new vessel acquisition efforts.

The potential impact of reducing sanctuary appropriations goes far beyond the individual sanctuaries themselves: limiting visitor center hours, eliminating research programs, and diminishing enforcement capacities prevents ONMS from fulfilling its statutory mandates, while also reducing the economic activity and job creation that surrounds healthy sanctuary communities. For example, funding national marine sanctuaries below the recommended levels could force the program to:

- **Cut treasured public access and recreation opportunities for all Americans.**
Funding cuts risk the Florida Keys National Marine Sanctuary's 767 mooring buoys, which provide public access and recreational opportunities within the sanctuary while protecting coral reefs and shipwrecks from anchor damage, preserving them for future generations.
- **Restrict enforcement operations that protect legal fishermen.**
Lack of funding jeopardizes on-water patrols for illegal fishermen in the Florida Keys National Marine Sanctuary. In a single 2013 case, illegal fishermen were charged with over 1,300 violations for pilfering 664 yellowtail snapper from a closed area that was recently shown to have provided benefits to both fish populations and commercial and recreational anglers.
- **Dramatically shrink visitor center hours.**
Sanctuary visitor centers serve as the public face of NOAA and see over 350,000 visitors per year, including the Monterey Bay National Marine Sanctuary Exploration Center (Santa Cruz, CA), Mokupāpapa Discovery Center (Hilo, HI), Great Lakes Maritime Heritage Center (Alpena, MI), and Florida Keys EcoDiscovery Center (Key West, FL).
- **Cancel education and outreach programs that leverage private funds for taxpayer benefits.**
Reduced funding jeopardizes education and outreach activities on the water, at sanctuary sites and visitor centers, and in classrooms. Placing educational exhibits in partner institutions, like the California Academy of Sciences' "California Coast" aquarium which sees over 1 million visitors annually, is a successful and cost-effective method for reaching the American public.

NOAA Needs Sufficient Funds to Fulfill its Responsibilities to the American People

We strongly support the Friends of NOAA Coalition request to fund the agency at no less than \$5.6 billion in FY15. As a Coordinator of the Friends of NOAA Coalition, the National Marine Sanctuary Foundation works to inform interested audiences about the full range of NOAA activities. From weather forecasts to fisheries management, NOAA provides decision makers with critical data, products, and services that promote and enhance the nation's economy, security, environment, and quality of life. Providing insufficient funding for NOAA will only serve to diminish the economic activity and job creation that is at present successfully revitalizing communities across America. We hope the subcommittee will see the benefits of investing in NOAA and the National Marine Sanctuary System, and that a failure to provide sufficient funding will endanger American lives and livelihoods.

¹ Perkins Coie LLP. (2013) "Area-Based Management of Marine Resources: A Comparative Analysis of the National Marine Sanctuaries Act and Other Federal and State Legal Authorities." Available: <http://www.nmsfocan.org/files/ABMReport.pdf>.

² National Ocean Economics Program. (2011) "Ocean Economy Data." Available: <http://www.oceaneconomics.org>.

³ O'Connor, Simon *et al* (2009). Whale Watching Worldwide: tourism numbers, expenditures and expanding economic benefits, a special report from the International Fund for Animal Welfare. Prepared by Economists at Large. Available: http://www.ifaw.org/Publications/Program_Publications/Whales/asset_upload_file841_55365.pdf.

⁴ Monterey Bay Crescent Ocean Research Consortium. (2012) "Major Marine Sciences Facilities in the Monterey Bay Crescent- 2012." Available: http://web.me.com/paduan/mboerc/Membership_Info_files/MontereyBaylabs2012-2.pdf.

⁵ Michigan Sea Grant. (2006) "Northeast Michigan Integrated Assessment." Available: <http://www.mseagrant.umich.edu/downloads/nemia/report/NEMIA-Final-Report.pdf>.

March 31, 2014



March 31, 2014

The Honorable Frank Wolf
Chairman, Appropriations Subcommittee
on Commerce, Justice, and Science
H-310, The Capitol
Washington, D.C. 20515

The Honorable Chaka Fattah
Ranking Member, Appropriations Subcommittee
on Commerce, Justice, and Science
1016 Longworth House Office Building
Washington, D.C. 20515



Dear Chairman Wolf and Ranking Member Fattah:

As Congress begins negotiations on the FY15 Commerce, Justice, Science, and Related Agencies Appropriations bill, we respectfully request that you prioritize programmatic requests for:

- **National Marine Sanctuary Program – Construction/Acquisition**, within the National Oceanic and Atmospheric Administration's (NOAA) Procurement, Acquisition, and Construction (PAC) account **at a level of \$5.5 million**; and
- **Sanctuaries and Marine Protected Areas Base**, within NOAA's Operations, Research, and Facilities (ORF) account, **at a level of \$51 million**.



We are deeply concerned by recent decreases to sanctuaries' PAC account, which result in multiple, unfinished construction projects, and prevent NOAA's Office of National Marine Sanctuaries (ONMS) from acquiring the vessels necessary to complete core research, education, and law enforcement missions that simply cannot be accomplished from land alone. Facilities supported by PAC funds anchor tourism and recreation economies and serve as the public face of the government's ocean management. We strongly encourage you to support PAC funds that provide critical links between our ocean and the millions of Americans who visit the coast each year.



Among all the statutes enacted by Congress to govern ocean resources, the National Marine Sanctuaries Act stands alone for its comprehensiveness, community-driven participation, transparency and balanced approach. While seeking to sustainably protect resources within sanctuaries, the law allows compatible commercial and recreational activities. Sanctuaries serve as vital economic engines for our communities and businesses, supporting thousands of jobs and generating billions of dollars in local revenues. Sanctuaries serve as living laboratories for research and centers for civic pride.



Sanctuaries are making essential contributions to marine ecosystem health and coastal job creation, and sufficient ORF funding will allow ONMS to sustain progress to date. ONMS has not received adequate appropriations in past budget cycles, despite the program's increased responsibilities. Lack of funds will force ONMS to cut public access and recreation opportunities, cancel collaborative efforts with museums and universities that leverage private funds for taxpayer benefits, and terminate education initiatives. We strongly encourage you to ensure that funding for these priorities is added to the base level for the Marine Sanctuary Program.



Closing visitor centers, eliminating research programs, diminishing enforcement capacities, and abolishing education initiatives will prevent ONMS from implementing sanctuary management plans – driven and informed by local communities and constituents – for yet another year. We strongly urge you to remedy this situation by supporting an overall appropriation of \$56.5 million for sanctuaries in FY15.



Thank you for your consideration of this request. We wish you all the best for the remainder of the 113th Congress.



Sincerely,

Jason Patlis
National Marine Sanctuary Foundation

Charles N. Wiesen
Friends of Thunder Bay National
Marine Sanctuary

Jill Silver
Olympic Coast Alliance



Tom Lambert
Cordell Marine Sanctuary Foundation

Lynette Poncin
Hawai'i National Marine Sanctuary Foundation

George Neugent
Sanctuary Friends Foundation
of the Florida Keys

Chris Kelley
Farallones Marine Sanctuary
Association

Dennis J. Long
Monterey Bay & Channel Islands
Sanctuary Foundations

William Grafton
Stettin Alive!

To: The House Committee on Appropriations' Subcommittee on Commerce, Justice, Science, and Related Agencies
From: THE CONFERENCE OF CHIEF JUSTICES and
THE CONFERENCE OF STATE COURT ADMINISTRATORS

In the Matter of: FY 2015 Appropriations
ADDRESSING THE JUSTICE GAP -- THE IMPORTANCE OF ADEQUATE FUNDING FOR THE LEGAL SERVICES CORPORATION

On behalf of the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA), we appreciate this opportunity to express our strong belief that increased federal funding in FY 2015 for the Legal Services Corporation is essential to the administration of justice in our country. The following paragraphs will explain the basis for this assertion.

BACKGROUND

The CCJ was founded in 1949 to provide an opportunity for the highest judicial officers of the states to meet and discuss matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems. For decades the Conference has made recommendations to bring about improvements in such matters. The CCJ membership consists of the highest judicial officers of the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories of American Samoa, Guam and the Virgin Islands.

The COSCA was founded in 1955 to assist state court administrators in the development of more just, effective, and efficient system of justice by providing a strong network for the exchange of information and methods to improve the operations of state courts. Like the CCJ, the COSCA has made many recommendations to bring about improvements in court organization and operations. Its membership consists of the top state court administrator in the states and territories noted above.

THE JUSTICE GAP

As you know, the annual appropriations for LSC have been cut by 15 percent since 2010, at a time when the number of people financially eligible for service at LSC-funded programs remains at more than 63 million -- more than 20 percent of the American population. These funding reductions compelled LSC-funded programs to close more than 30 offices, many in rural areas, and to shed 1003 full-time staff positions. As a result a growing number of domestic violence victims, tenants facing wrongful evictions, parents seeking child support, and others are forced to try to navigate the judicial system alone and without basic legal tools.

To help this Subcommittee appreciate the "justice gap" that occurs when large numbers of citizens are unrepresented by counsel, the CCJ published a data-rich policy paper entitled, "The Importance of Funding for the Legal Services Corporation from the Perspective of the Conference of Chief Justices and the Conference of State Court Administrators." [Available at http://www.ncsc.org/~media/Files/PDF/Services%20and%20Experts/Government%20Relations/LSC_WHTPR.ashx] Our research makes clear that the large number of unrepresented citizens

overwhelming the nation's courts has negative consequences not only for them but also for the effectiveness and efficiency of courts striving to serve these and other segments of the community who need their disputes resolved. More staff time is required to assist unrepresented parties. In the absence of a fair presentation of relevant facts, court procedures are slowed, backlogs of other court cases occur, and judges confront the challenge of maintaining their impartiality while preventing injustice. Clearly frontline judges are telling us that the adversarial foundation of our justice system is all too often losing its effectiveness when citizens are deprived of legal counsel.

KEY FACTS

Mindful of space limitations on all statements to the Subcommittee, we provide the following evidence-based bullet points to support more adequate funding for the LSC:

- CCJ and COSCA have adopted a series of resolutions (in 2002, 2009, 2011, and 2012) in support of funding for the Legal Services Corporation. The most recent one is attached as an **APPENDIX** hereto.
- LSC is the largest single funder of civil legal services programs for poor people in the United States. It provides grants to 134 independent legal services programs with more than 800 offices serving every county in the 50 states, the District of Columbia, and every U.S. territory except American Samoa.
- The population eligible for LSC-funded legal services has grown dramatically in recent years. Census Bureau data show that the LSC client-eligible population continues to be at an all-time high growing by 25 percent from 2007 to 2012. Nearly one in five Americans — 63.3 million people — are eligible for services, a 25% increase since 2007. (Those living at or below 125% of the federal poverty line — \$14,588 for an individual and \$29,812 for a family of four — are eligible).
- The civil legal problems of low-income people involve essential human needs, such as protection from domestic abuse, safe and habitable housing, access to necessary health care, and family law issues including child custody actions. As Georgia Chief Justice Carol Hunstein has noted, “Equal access to justice contributes to healthy communities and a vibrant economy. No community thrives when people are homeless, children are out of school, sick people are unable to get health care, or families experience violence. Likewise, when a person’s legal problem is addressed in a timely and effective way, the benefit ripples out and helps that person’s family, neighbors, employer and community.”
- From 2007 to 2010, nine states¹ conducted large-scale, survey-based studies to determine the kinds of legal needs experienced by low-income residents and the extent to which those needs were being met. The studies found:
 - A. On average, low-income households experience from 1.3 to 3.0 legal needs per year.

¹ Virginia, Utah and Wisconsin (2007); Nevada (2008); Alabama, Georgia and New Jersey (2009); Montana and New York (2010).

- B. Only a small fraction of the legal problems experienced by low-income people (less than one in five) is addressed with the help of an attorney. Even among the problems considered to be most serious by the households experiencing them, most are not addressed with the help of a lawyer.
 - C. Those who seek help from legal aid programs represent only a fraction of the low-income people who need civil legal assistance. People with legal problems frequently do not understand that they need legal help, do not know where to turn for help, or may not know they are eligible for legal aid. Other barriers, such as geographical distance and isolation, low literacy, physical or mental disability, limited English proficiency, culture and ethnic background, and apprehension about the courts and the legal system also pose impediments.
 - D. A significant body of work shows that access to civil legal assistance can prevent domestic violence, prevent eviction and homelessness, promote family reunification and reduce the time children spend in foster care, and improve clients' health.²
- Studies have examined the economic impact of providing legal services to low-income people. Following are examples of awards to clients and savings to states attributable to the availability of civil legal services to low-income individuals:
 - A. Florida - A study estimated savings to the state of \$4.24 million in avoided costs related to domestic violence and homelessness prevention in 2008.³
 - B. Massachusetts - Clients obtained \$10.4 million in unemployment benefits, rent relief, damages, reduced utility bills, and child support payments during 2011. During the same period, the state saved an estimated \$11.3 million because of the prevention of homelessness and \$3.9 million in medical and court costs by preventing further assaults on victims of domestic violence.⁴
 - C. Missouri - In 2008, estimated savings of \$1.5 million due to prevention of homelessness and \$2.2 million savings in avoided costs related to domestic abuse.⁵
 - D. Nebraska - Legal aid clients obtained a total of \$2,511,052 in parental child support, alimony, unemployment and other non-federal awards in 2007.⁶
 - E. New York - New analyses project savings of \$201 million attributable to civil legal services – \$84.9 million in avoidable medical, mental health and other costs through prevention of domestic violence, and \$116.1 million because of prevention of evictions and homelessness.⁷

² Abel, L. and Vignola, S., "Economic and Other Benefits Associated With the Provision of Civil Legal Aid," *Seattle Journal for Social Justice* (Fall/Winter 2010)

³ Florida Tax Watch, "The Economic Impact of Legal Aid Services in the State of Florida" (2010)

⁴ Massachusetts Legal Assistance Corporation, "Civil Legal Aid Yields Economic Benefits to Clients and to the Commonwealth: Some Benefits from FY11 Advocacy" (2012)

⁵ Missouri Legal Aid Network, "Investing in Justice, Strengthening Communities - How Everyone in Missouri Benefits from Funding for Legal Aid" (2009)

⁶ Rod Feelhaver & Jerome A. Deichert, "The Economic Impact of Legal Aid of Nebraska 2007" (2008)

⁷ The Task Force to Expand Access to Civil Legal Services in New York, "Report to the Chief Judge of the State of New York" (2011)

- F. Pennsylvania - Total savings of \$23 million during 2004-2008 resulting from civil legal services for victims of domestic abuse.⁸
- G. Texas – In 2013, civil legal aid produced a sizeable stimulus to the Texas economy. The estimated gain in business activity equals an annual \$722.4 million in spending, \$346.9 million in output (total value of goods and services produced), and \$4,528 jobs.⁹
- H. Virginia - Clients gained \$8.1 million in parental child support payments, unemployment benefits, and judgments during fiscal year 2010-11. The state also realized \$2.9 million in savings related to homelessness prevention and avoided costs related to domestic violence.¹⁰

- LSC grantees have worked tirelessly to leverage their limited resources, but can no longer do more with less. In 2012, LSC grantees closed 809,830 cases—a 10% decline from the previous year—including 5.5% fewer domestic abuse cases, 10.1% fewer child custody and visitation cases, 13.5% fewer child support cases, 9.6% fewer paternity cases, 10.7% fewer landlord/tenant cases, and 22.8% fewer housing discrimination cases. And between 2010 and 2012, 923 full-time positions—385 attorneys, 180 paralegals, and 358 support staff—were eliminated due to funding cuts. This represents a 10.3% loss of legal aid staff in just two years.

In view of the foregoing, the CCJ and COSCA urge this Subcommittee and the full Appropriations Committee to substantially increase the funding for the Legal Services Corporation in FY 2015.

Respectfully submitted,



Honorable Michael G. Heavican
President
Conference of Chief Justices



Zymont Pines
President
Conference of State Court Administrators

⁸ Pennsylvania IOLTA Board, "Results of the Pennsylvania Access to Justice Act" (2009)

⁹ The Perryman Group, Current and Potential Economic Benefits of Legal Aid Services in Texas: 2013 Update, February 2013, available at <http://www.teajf.org/news/docs/Impact-of-Legal-Aid-2013-FINAL.pdf>

¹⁰ Legal Services Corporation of Virginia, "Report to the Commonwealth and the General Assembly FY 2010-2011" (2012)

APPENDIX

**CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS
Resolution 1**

In Support of Continued Federal Funding for the Legal Services Corporation

WHEREAS, equal justice and the fair administration of justice are cornerstones of our democracy and core functions of our national and state governments; and

WHEREAS, the Preamble to our national Constitution declares it to be an express purpose of the federal government “to establish justice” and we are a nation dedicated to “liberty and justice for all”; and

WHEREAS, as a nation grounded in the rule of law, equal justice and the fair administration of justice, these functions have long transcended partisan difference with all Americans standing together in common commitment to these ideals; and

WHEREAS, the promise of equal justice and our commitment to the rule of law are so fundamental to our way of life, that it has long been the policy of the United States of America to promote these ideals beyond our national borders; and

WHEREAS, for more than four decades, the federal Legal Services Corporation has been the vehicle through which the federal interest in civil equal justice is realized; and

WHEREAS, bipartisan congressional action in the late 1990s formed the foundation for an enduring national consensus regarding the focus and value of the work underwritten by the federal Legal Services Corporation and ensured that the work of federally funded legal aid providers is focused on the individual needs of low income people facing the most significant civil legal problems that affect basic human needs such as: family preservation, safety and economic security; protection of housing and other essential property rights; and ensuring governmental accountability in disputes involving essential benefits and services to which low income people have a legal claim; and

WHEREAS, ensuring equal justice is a joint federal and state responsibility, and in recent years many states have invested substantially in the core civil legal aid infrastructure funded through the federal Legal Services Corporation, and reduction and/or withdrawal of federal funding would fundamentally undermine the vitality and effectiveness of state-based legal aid delivery systems and adversely affect civil judicial operations; and

WHEREAS, there are now more than 44 million Americans living at or near the poverty level and the legal problems faced by low income and vulnerable people have dramatically increased during this period of economic crisis with conclusive, objective documentation that between 50% and 75% of low income households experience one or more civil legal problems that affect basic human needs every year, and according to the same studies, less than 50% of such households are able to secure the legal assistance that they need; WHEREAS, equal access to justice contributes to healthy communities and a vibrant economy; and

WHEREAS, when large segments of the American population are denied effective access to the justice system and are unable to assert and defend effectively important civil legal rights and prerogatives, public trust and confidence in the justice system itself is placed in jeopardy; and

WHEREAS, the civil legal aid system in every state is a model public-private partnership and that investments in programs funded through the federal Legal Services Corporation effectively leverage complimentary legal assistance through the efforts of volunteer attorneys; and

WHEREAS, during times of fiscal crisis, it is necessary that government focus on core functions with the establishment and administration of justice being a core function of the federal government and this core function is furthered by ensuring the availability of civil legal aid for those otherwise unable to assert and defend important rights meaningfully within the justice system; and

WHEREAS, the Conference of Chief Justices has repeatedly affirmed the importance of the federal Legal Services Corporation, declaring “continued operation of the Legal Services Corporation [as] essential to the guarantee of equal justice and to the efficient operation of the courts” (Res. No. 9; January 24, 2002), calling for “increased federal funding on a continuing basis for Legal Services Corporations to better meet the demand for legal services and to ensure access to justice for all” (Res. No. 11, August 2009), and again calling on Congress to support increased funding for LSC “to provide critically needed services to low-income Americans” (Res. No. 9; August 3, 2011); and

WHEREAS, the Legal Services Corporation suffered a \$56 million (14%) cut to its budget for FY 2012 which will surely cause additional cuts to legal aid staff and, as a consequence, the reduction of legal services to low income persons facing mortgage foreclosures, domestic violence, income security reductions and other effects from the deep economic recession;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators reaffirm the importance of the federal Legal Services Corporation and calls upon all members of Congress to fulfill our nation’s promise of “Equal Justice Under Law,” by restoring funding for the federal Legal Services Corporation to the level necessary to provide critically needed services to low-income and vulnerable Americans.

Adopted by the Conference of Chief Justices on February 1, 2012 and by the Board of Directors of the Conference of State Court Administrators on February 10, 2012.



**TESTIMONY OF MICHAEL S. PIRAINO
CHIEF EXECUTIVE OFFICER, NATIONAL CASA ASSOCIATION**

**UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE AND RELATED
AGENCIES**

MARCH 31, 2014

Chairman Wolf, Ranking Member Fattah, Members of the Subcommittee, thank you for the opportunity to submit remarks on the Department of Justice (DOJ) Fiscal Year (FY) 2015 budget. On behalf of the National Court Appointed Special Advocate (CASA) Association's network of 933 state and local CASA and guardian ad litem (GAL) programs in 49 states, including all of the states represented on this panel, I strongly urge the Subcommittee to fully fund the Court Appointed Special Advocates program through DOJ's Office of Juvenile Justice and Delinquency Prevention at the Congressionally authorized level of \$12 million.

We appreciate the Subcommittee's long standing recognition of the overwhelmingly positive impact CASA programs have in the lives of abused and neglected children, and we urge your ongoing support as we strive to achieve our national goal of providing a CASA volunteer for every child in foster care. In the US today, too many of our 646,000 foster youth are going it alone. They want and need advocates to help them reach their full potential, and every day, CASA programs across the country provide an important voice in the lives of children beyond the walls of the courtrooms in which their cases are heard.

The effectiveness of the CASA/GAL program model in achieving positive, long-term outcomes for children in care is well documented and well supported. CASA volunteers are an influential protective factor in children's lives. A child with a CASA/GAL volunteer is more likely to receive needed counseling services, less likely to experience disruptive changes of placement, and more likely to pass all their courses in school. As community members with a vested stake in the long-term success of the children they serve, CASA

volunteers advocate against tremendous odds for the fundamental right of every individual to live in a safe and secure environment.

As the Subcommittee is acutely aware, foster youth face an extensive range of risk factors, including a much greater chance of juvenile delinquency and incarceration than the general youth population. According to data last collected by the National Institute of Justice in 2011, children who suffer from abuse and neglect are 28 percent more likely to be arrested as adults and 59 percent more likely to be arrested as juveniles. Through smart, targeted investments in a program that provides a stable, supportive advocacy-based presence in children's lives, together, we can stem the tide of youth delinquency in this nation and move our young people – high-risk foster youth included – toward a safe and promising future. The value of saving a high risk youth from a life of crime has been reliably estimated to range between \$2.6 and \$5.3 million.

As with a number of programs across the federal government, the Court Appointed Special Advocate program has weathered its share of funding cuts over the past few fiscal years as Congress works to achieve deficit reduction. I assure you that our programs have left no stone unturned in our quest to serve children, but we need the support of Congress to help vulnerable children, a population to whom we all share a significant obligation. These federal funds, which are leveraged with other state and local resources, have been a significant driver of increased service to children.

While CASA funding has decreased by half of the FY 2011 enacted level, the need for effective advocacy for foster youth in the courtroom – and the need for the robust training, technical assistance, and other resources that make this advocacy possible – has not at all diminished. Additionally, CASA/GAL programs across the nation are reporting that their cases are increasingly complex and challenging – including cases involving the overmedication of foster youth as just one example – which require additional time, energy, and resources, all of which are stretched significantly across our programs.

We ask the Subcommittee to provide funding for a program that not only transforms the lives of foster youth, but is also an effective cost investment of taxpayer dollars at a time in which every single one of those dollars must be spent wisely. CASA/GAL programs, in addition to advocating for a child's best interest in the courtroom and ensuring that he/she has the services needed to succeed, work to move the child out of the foster care system as quickly and as safely as possible. Less time in care is a better outcome for the child and it is a better outcome for state governments and federal child welfare programs, compared to the cost of keeping a child in care.

CASA volunteers save tens of millions of dollars in child welfare and other costs to society, as we work to keep at-risk youth out of the burgeoning prison system and on the path to promising, fulfilling futures. More than 90 percent of children with CASA volunteers never re-enter the foster care system. By reducing long-term placements, subsequent victimization, and reentry into the foster care system, the CASA program substantially

reduces foster care costs and significant costs associated with long-term services for children who have endured traumatic and difficult circumstances through no fault of their own.

To put this in simple accounting terms, it costs the federal government \$3,250 per month to keep a child in the foster care system. Every child with a CASA volunteer saves the taxpayer approximately \$24,375 per year, because our volunteers are moving these children safely out of the system. While a more efficient use of resources is of paramount importance, let me also emphasize the value of our work in purely human terms. Every day a child spends in the foster care system, is a day he or she can never get back. It is a day that they are unable to do many of the things that we take for granted in the lives of our own children – making lasting friendships, forming a bond with a teacher, enjoying the movements of everyday life with a loving family that is truly their own. All children deserve a safe, nurturing, permanent home.

I would also like to thank the Subcommittee for continuing to provide strong funding for DOJ's competitive youth mentoring grants program. This funding is critical to strengthening and expanding the reach of organizations across the country that positively impact the lives of at-risk and underserved youth. The mentoring programs funded through these grants build needed assets in young people and change their lives for the better.

We again ask the Subcommittee to fund the Court Appointed Special Advocates program at \$12 million in FY 2015 to address an overwhelming need for advocacy on behalf of abused and neglected children. Thank you for your consideration of this testimony.

Jennifer Vander Pluym
Private Citizen

31 March 2014

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations,

I am gravely concerned about the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory located in Beaufort, North Carolina. This lab is part of the National Oceanic and Atmospheric Administration; it is administered by the National Ocean Service (NOS), but also houses the National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS). Although I am writing this letter as a private citizen, and the views expressed are not intended to represent those of any government agency, I am a scientist at the NOAA Beaufort Lab and therefore have firsthand knowledge regarding the value of this laboratory to the nation, in terms of its contributions toward marine science, natural resource management, and public outreach. The proposal to close this laboratory is a short-sighted reaction to a short-term problem.

The closure of NOAA's Beaufort Laboratory proposed in the 2015 President's Budget Request should not be included in the NOS budget. Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; sea grass; pathogens; and snapper and grouper monitoring and ecology. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. Furthermore, **this lab is the originator and centerpiece of an internationally esteemed consortium of marine science institutions**, including the marine laboratories of Duke University, NC State University, the University of North Carolina, and the North Carolina Division of Marine Fisheries. Beaufort was chosen because it is a prime location where northern and southern marine ecological communities intersect, and as such this lab provides the only federal access to the most diverse marine ecosystem in the United States. There is **no other location** where these opportunities can be accessed as **easily** or as **cheaply**. It is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline.

The request to close the laboratory was based on current funding allocation, but inaccurate and outdated information that overstated the costs of maintaining the facility was used in the analysis that led to this request. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account at all for employees from NMFS or NERRS. In effect, **this mistake** excluded more than **half the staff** of the lab. Furthermore, the request was based on **estimated costs** for the lab's upkeep and maintenance that **were in error**. Since 2006, several activities have been completed to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building,

replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. After such investments, closing the lab now would represent **a conspicuous waste of tax-payers' money**. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is **NOT structurally unsound**. Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

I highlight below, by line office, the critical role that the NOAA Beaufort Laboratory has played in helping NOAA achieve its Strategic Mission 1) to understand and predict changes in climate, weather, oceans, and coasts, 2) to share that knowledge and information with others, and 3) to conserve and manage coastal and marine ecosystems and resources.

NOS:

While the National Ocean Service is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4 million to another center to support **Ecological Forecasting of Harmful Algal Blooms (HABs), Hypoxia, pathogens, and Species Distributions**. These areas of research are the bread and butter of NOS at the Beaufort Lab. In fact, NOAA would not have the strength it currently has in forecasting HABs if it were not for the lab's seminal and award-winning work that has been ongoing from the 1980s to this day. Furthermore, the Beaufort Lab initiated the first-ever study of the invasive lionfish in the US South Atlantic, and it has continued to play a pivotal role in monitoring the distribution and abundance of this invasion throughout the South Atlantic, Gulf of Mexico, and Caribbean, providing information that has been critical for mitigation and management strategies. The location of the laboratory has facilitated the only study the effects of temperature on offshore fish communities at the meeting place of temporal and tropical waters. Being nestled in the second largest sound system has also allowed the most comprehensive study of the benefits a healthy marsh afford coastal property. It is ironic and perplexing that the FY2015 President's budget requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management while at the same time proposing to close an existing facility that already has both well-established expertise and facilities required to address many of those very same issues.

NMFS:

The Beaufort Laboratory provides the stock assessment science that allows NOAA to fulfill its obligation toward the **Magnuson-Stevens Fishery Conservation and Management Act**, as mandated by Congress. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Atlantic menhaden support the largest fishery on the US Atlantic coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico. To enable robust stock assessments, sampling of the Atlantic and Gulf menhaden fisheries has been conducted by the Beaufort Lab for decades, and monitoring of snapper-grouper species has been accomplished by the lab's Southeast Fishery-Independent Survey. Removing this sampling and monitoring from the Beaufort Lab

would not only result in a **significant disconnect between NOAA and the communities** that it serves, but would also **degrade the quality of stock assessments** at a time when Congress is rightly calling for improvements.

NERRS:

NERRS is partnered with the N.C. Coastal Reserve, with program headquarters at the NOAA Beaufort Lab. This program supports **long-term research, water-quality monitoring, education, and coastal stewardship**. In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." With this funding, NOAA invested \$1.28 million and the state of NC invested \$42,000 for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission. The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities. The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve, and this close proximity is essential for performing Reserve activities efficiently to conduct mission-critical work, including educational programs, water quality and habitat monitoring, research programs, and stewardship of the site, which involves species monitoring, debris clean-ups, feral horse management, and access point maintenance. In short, **NERRS activities** in education, training, and stewardship have been **extensive**, and they would **not be feasible from any other federal laboratory**.

In conclusion, closure of the NOAA Beaufort Laboratory would be devastating scientifically and economically. Locally, 108 jobs would be lost that range from \$45,000-140,000 a year. These are families that own homes, whose elder parents also own homes, and whose children attend local schools. The ripple effect of losing the employees would be felt at all levels of the local economy: housing market, service industry, restaurants, tourism, as well as a shrinking of the tax base. It would cripple NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on flawed estimates of maintenance costs and an outdated engineering report, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing the lab would be trivial; however the loss to the nation and the local community would be monumental.

Sincerely,

Jenny Vander Pluym
271 Pinnars Point Rd.
Beaufort, NC 28516



Office of Sheriff
County of Ontario
www.co.ontario.ny.us
74 Ontario Street
Canandaigua, New York 14424-1898

Philip C. Povero
Sheriff

David C. Tillman
Undersheriff

March 31, 2014

The Honorable Barbara Mikulski
Chairman, Senate Subcommittee on Appropriations
Commerce-Justice-State-Science

AND

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science


As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Thank you for your attention to this important request.

Sincerely,


Philip C. Povero
Sheriff

PCP:lah

cc: Senator Kirsten Gillibrand
Senator Charles Schumer
Representative Nita Lowey
Representative Jose Serrano
Representative Bill Owens

James Qualls, Chief Deputy
Hutchinson County Sheriff's Office

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

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The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Testimony for the Record
 Dr. Nancy Rabalais
 President, National Association of Marine Laboratories
 Before the
 Subcommittee on Commerce, Justice, and Science, and Related Agencies
 Committee on Appropriations
 U. S. House of Representatives
 Washington, D.C.
 March 31, 2014

The National Association of Marine Laboratories (NAML) is pleased to submit testimony to the Subcommittee with a series of recommendations that we believe would strengthen the Nation's research and education enterprise. NAML is a nonprofit organization representing the ocean, coastal and Great Lakes interests of member laboratories that employ thousands of scientists, engineers and professionals nationwide. NAML labs conduct high quality research and education in the natural and social sciences and translate that science to improve decision-making on important issues facing our country. NAML requests the subcommittee to:

- Provide strong support for competitive, merit-based ocean, coastal, and Great Lakes research, infrastructure and education programs at the National Oceanic and Atmospheric Administration (NOAA), the National Science Foundation (NSF), and the National Aeronautics and Space Administration (NASA). This issue is discussed in detail on page 3 of this statement;
- Support the research infrastructure of marine laboratories that will lead to better integration of environmental data networks into federal information and observing system networks and in so doing achieve cost effective science-based decision making regarding the management of marine, coastal and Great Lakes ecosystems and related resources;
- Increase the co-location of federal scientists and federal research infrastructure initiatives at NAML laboratories as well as increased coordination and cooperation between NOAA's ocean, coastal and Great Lakes research and education programs.
- Advance a diverse, distributed ocean science education agenda through strong support for ongoing programs within NSF, NOAA, and NASA. NAML is concerned that the Administration's STEM education consolidation plan will terminate K-12 STEM education and fellowship activities within the Sea Grant program as well as terminate important ocean literacy activities in the Office of Education at NOAA. NAML urges the committee to reinstate these activities within NOAA.

The Role of Marine Laboratories in the Nation's Research and Education Enterprise

Ocean, coastal and Great Lakes marine laboratories are vital, cost-effective, place-based "windows on the sea." They connect communities with cutting edge marine, coastal and social sciences, while also providing students and citizens with meaningful learning experiences. The members of the National Association of Marine Laboratories (NAML) work together to improve the quality and relevance of ocean, coastal and Great Lakes research, education and outreach. In particular, NAML laboratories compete for support for the:

- Conduct of basic and applied research of the highest quality making use of the unique capabilities of coastal laboratories;
- Revitalization of research infrastructure through increased cost-effective networking of capabilities;
- Unique role that coastal laboratories play in conducting education, outreach and public service;
- Encouragement of wise use and conservation of marine and coastal habitats and resources using ecosystem-based management approaches;
- Coastal and other observing systems that collect front line data needed to improve predictions of natural and human-caused disasters, the management of marine resources, research, and education; and increased public ocean and Great Lakes literacy to promote greater environmental stewardship.

Oceans, Coasts and Great Lakes - Vital for Economic Growth and Enhanced Coastal Resiliency

The ocean, coasts, coastal watersheds, and the Great Lakes play a central role in the well being of the Nation. Over 8.5 million people reside in the 100-year coastal flood hazard area. More than half of the United States population lives in 673 coastal watershed counties, and these counties generate 58% (\$8.3 trillion) of the Nation's gross domestic product (GDP)—even though they comprise only 25% of the Nation's land area. Every day, the marine environment supplies a multitude of products and services that enhance and support the lives and livelihoods of citizens. In 2011, Americans, on average, ate 15 pounds of fish and shellfish per person – 4.7 billion pounds all together – making the U.S. second in the world in total seafood consumption. Offshore oil production in Federal waters accounts for 24% of total U.S. crude oil production. If American coastal watershed counties were considered an individual country, that country would have a GDP higher than that of China. The United States has jurisdiction over 3.4 million square miles of oceans – an expanse greater than the land area of all 50 states combined. This vast marine area offers many environmental resources and economic opportunities, but also presents threats such as damaging tsunamis and hurricanes, industrial accidents and outbreaks of water borne pathogens. The 2010 Gulf of Mexico *Deepwater Horizon* oil spill, the 2011 Japanese earthquake and tsunami, and the 2012 Superstorm Sandy are vivid reminders that our understanding of our oceans and coastal areas is far from complete. Developing sufficient capabilities to sustain ocean-based economies and protect our coasts and coastal communities from natural and man-made hazards will require a sustained investment in research, infrastructure and education and training. NOAA's budget request contains several programs designed to reduce coastal and community vulnerability to future storms, inundation and sea level rise. NAML encourages the Committee to support these resilience programs

NAML Priority -- Investing in Research

NAML believes America is driven by innovation — advances in ideas, products and processes that create new industries and jobs, contribute to our nation's health and security, and support a high standard of living. In the past half-century, educated people and the knowledge they produce have increasingly driven innovation. It is essential that the nation reaffirms and revitalizes the unique partnership that has existed between the Federal Government, the states and business and industry with the nation's research and education enterprise. In doing so, we

encourage the innovation that leads to high-quality jobs, increased incomes, security, health, and prosperity for the nation. Investing in the nation's research enterprise should be seen as a high priority that has contributed significantly to our long-term prosperity and technological preeminence through interdisciplinary research spanning a landscape of disciplines, from physics to geology, chemistry to biology, engineering to social sciences and modeling to observation. NAML believes that research and education programs at the major federal science agencies with ocean and coastal responsibilities should be viewed as priority investments in the future health and well being of the Nation.

Programs that support the extramural community via competitive, merit-based research provide highly cost-effective returns on investment, leverage additional resources to meet science and management priorities, and distribute economic and societal benefits over a broad array of communities. While NOAA has acknowledged his assertion on many occasions, its support for its extramural partners has continued to decline. From background information developed for the NOAA Science Advisory Board's R&D Portfolio Review Task Force support by the Office of Oceanic and Atmospheric Research (OAR) for extramural R&D has declined by \$60M since 2005 – from \$171.6M to \$107.1M while the percentage of OAR's research activities to support extramural programs has dropped from just over 50% down to 34% of the total. In the National Ocean Service (NOS), support for extramural R&D has declined from a level of \$21.6M in 2005 to \$13.7M in 2011 while intramural support has grown from a level of \$53M in 2005 to a level of \$58M in 2011. Moreover NOAA has repeatedly proposed the termination of numerous extramural programs – such as the John H. Prescott Marine Mammal Grants program – and the consolidation of research programs – such as Ocean Exploration and Research -- which has led to the dramatic reduction in extramural research and education support.

Beyond cutting back on its extramural support, NOAA now seeks permission to “receive and expend funds made available by, any...private organization, or individual (proposed Section 108 of the General Provisions in the NOAA Section of the *Appendix to the FY 2015 Budget*).” This would enable NOAA to compete against non-federal and private entities for private sector support. Thus not only is NOAA cutting back its own support, it intends to further exacerbate the situation by competing against its partners for the limited available non-federal resources needed to fill the gaps created by NOAA's decision to scale back its extramural support.

NAML urges the Committee to restore to the maximum extent possible NOAA support for its extramural research, education, and other related programs while also limiting NOAA's ability to compete with the private sector for non-federal resources needed for research, education, and conservation programs.

Much attention has been justifiably focused on the need for our Nation to continue its support of premier basic research programs. It is also important to maintain strong support for mission-oriented ocean, coastal and Great Lakes research, observing and monitoring programs. Further, NAML believes that developing exchange programs between federal agencies and marine laboratories – such as co-location of federal scientists and federal research infrastructure initiatives at NAML laboratories -- will further strengthen the capacity of both sectors while also reducing costs by eliminating duplicative activities.

NAML Priority -- Investing in Research Infrastructure

NAML believes that a comprehensive range of ocean and coastal research infrastructure will be needed to meet growing demands for scientific information and to enable the safe, efficient, and environmentally sustainable use of the ocean. Institutional barriers have inhibited collaborative efforts to plan for the deployment, operation and maintenance of high-cost critical infrastructure assets such as ships, satellites, observing systems and cyber-infrastructure for data sharing, networking and collaborative use of available facilities. Marine laboratories often play a critical role in supporting studies that extend across decades. Marine laboratories can provide the infrastructure to collect data throughout a lifetime, and even maintain important data streams that extend well beyond any single researcher. Marine laboratories are often a hotbed of sensor development and testing. With technology changing rapidly, marine laboratories provide the expertise to maintain a level of standardization that ensures such data can be interpreted accurately even as protocols change in response to improving technology. Marine laboratories are playing an increasing important role in supporting networks that extend beyond any single lab. Because environmental processes occur on a wide range of spatial and temporal scales, data streams are standardized and networked to varying degrees to facilitate cross-site and long-term analyses. Finally, given the complexity and interconnected nature of many environmental processes, marine laboratories provide important opportunities to weave together the work of many researchers across diverse disciplines to detect patterns and understand processes that would not be apparent from any single study or data stream.

NAML Priority – Science, Technology, Engineering and Mathematics (STEM) Education

NAML's education mission is two-fold: to enhance ocean STEM education to ensure that all citizens recognize the role of the oceans, coasts and Great Lakes in their own lives and the impacts they themselves have on these environments; and to provide formal research and training opportunities at K-12, college, and post-graduate levels to ensure a technically-qualified, and ethnically diverse workforce capable of solving problems and answering questions related to the protection, restoration and management of coastal and ocean resources, climate variability and society's needs. An informed and engaged public is essential to understand complex ocean- and coastal-related issues, balance the use and conservation of marine resources, and maximize future benefits from the ocean. The public should be armed not only with the knowledge and skills needed to make informed choices, but also with a sense of excitement about the marine environment. Public understanding of human impacts on the marine environment should be balanced with recognition of the benefits to be derived from well-managed ocean resources. Inland communities need to be just as involved as seaside communities, because of the connection among the ocean, the atmosphere and the land. Ocean-related education also has the potential to help stem the tide of science illiteracy threatening to undermine the nation's health, safety and security. The scientific literacy of U.S. high school graduates is well below the international average. This progressive loss of literacy weakens the nation's ability to maintain its traditionally strong foundation in science and mathematics. NAML laboratories seek to expand the engagement of individuals from groups that have been historically under-represented in ocean research, education and outreach. This is particularly important in fulfilling the goal of achieving a diversified STEM pipeline to meet future science and ocean workforce needs.

NAML remains concerned with certain elements of the Administration's STEM Education Consolidation proposal for FY15. A total of 31 STEM education programs at nine key R&D mission agencies (including NOAA, NSF, and NASA) will be impacted by this proposal. It is important for mission agencies to help support the next generation of scientific and technical talent – much of which will be needed by these agencies in future years. We urge the Subcommittee to reject these particular consolidation proposals and support the continuation of these programs within their current agencies.

NAML appreciates the opportunity to present these views to the Subcommittee as it begins work on the development of the FY 2015 appropriations bill.

Thank you.



Collier County Sheriff's Office
SHERIFF KEVIN J. RAMBOSK

1319 Tramonti Trail East Bldg. 1 Naples, FL 34112
239-778-4434
www.colliersheriff.org

March 27, 2014

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

Dear: Congressman Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,


Kevin J. Rambosk, Sheriff
Collier County, Florida

KJR: wsc
cc: File

"Service to Others Before Self"



Testimony for the Record
 William G. Reay, Ph.D.
 President, National Estuarine Research Reserve Association
 Before the
 Commerce-Justice-Science Appropriations Subcommittee
 Committee on Appropriations
 United States House of Representatives
 Washington, D.C.
 March 31, 2014

Chairman and Members of the Subcommittee, my name is William Reay and I am the Director of the Chesapeake Bay National Estuarine Research Reserve in Virginia, administered by the Virginia Institute of Marine Science. I submit this testimony in my capacity as President of the National Estuarine Research Reserve Association (NERRA). NERRA is a not-for-profit scientific and educational organization dedicated to the protection, understanding, and science-based management of our nation's estuaries and coasts.

For Fiscal Year 2015, NERRA strongly recommends the following reserve system programs and funding levels within the National Oceanic and Atmospheric Administration (NOAA):

NERRS Operations	\$22.9 million
NERRS Procurement, Acquisition, and Construction (PAC)	\$1.7 million

The National Estuarine Research Reserve System (NERRS) program and its sites bring the strength of NOAA science and stewardship to important coastal regions across the nation. NERRS encompasses 28 protected reserves located in estuaries that are home to our most productive habitats and populated communities – that support science-based coastal resource management, research, and education to meet national priorities as mandated by Congress in the Coastal Zone Management Act (CZMA) of 1972. The states have been entrusted to operate and manage NOAA's program in 22 states and Puerto Rico, where over 1.3 million acres of land and water are protected in perpetuity. What distinguishes the NERRS is the community and state implementation of programs and local control of these places that form this federal-state partnership program.

The Administration's FY 2015 request for the NERRS is a total of \$21.3 million. This amount will result in a reduction of funding to each state because a 29th reserve, located in Hawaii, will be added this year. Therefore, the Administration's budget represents reduced funding to states from last year's appropriation (enacted FY14 budget at \$21.3 million). After reviewing the detailed NOAA budget request sent to the Congress, it is clear that states implementing this national program are left short-changed in their ability to fulfill the vision of Congress in its creation of the NERRS program.

NERRA is deeply concerned with the Administration's funding levels that we believe are inconsistent with key tenants of NOAA's own strategic plan—specifically, enhancing community and economic resiliency and strengthening science in support of coastal management. The Administration's FY2015 requested funding level will diminish the NERRS's capacity to deliver important research, education and training to its state, local, and regional partners.

First, the Administration budget requests flat-funds the program at the FY14 level of \$21.3 million. Flat-funding in the face of the program adding a 29th reserve in FY15 will in effect result in reduced budgets for each of the current reserves. This funding level is problematic because in addition to the new Hawaii reserve that is on track to join the system in FY15, there are two more known—one in Louisiana, and one in Connecticut—in process for future years. Equally troubling is the absence of any mention of the expected expansions in NOAA's FY15 budget submission. In addition to projected losses to the states operating NERRS sites, the Administration's budget will mean less funding for science and monitoring of sea level rise change impacts at a time when community need is great.

Investments in the NERRS are dollar-smart because funding for the program is matched by the states and leveraged significantly, resulting in an average of more than five other local and state partners contributing to the work at each reserve. Funding of \$22.9 million for the NERRS would be a minimal level to provide each reserve with the necessary funding to assist our coastal communities, industries and resource managers to enhance coastal resiliency in a changing environment.

Second, within the budget request for NOAA, the Administration is again proposing the elimination of funding for the Bay-Watershed Education and Training (B-WET) regional programs—a reduction of \$7.2 million in funding. The rationale provided for program reductions is misleading in stating that NOAA education experiences will continue to be provided by programs including the NERRS. Where states are eligible for B-WET funding, reserves are able to increase their educational capacity by as much as 50%, as documented in the Chesapeake Bay NERR (VA) for example. NERRA strongly opposes the cut of B-WET regional programs and any of the other NOAA STEM educational programs.

Making Coasts More Resilient and Saving the Nation Dollars through the National Estuarine Research Reserve System

NERRS assists our coastal communities, industries and resource managers to enhance coastal resiliency in a changing environment. As severe weather events become more common, federal, state, and local officials are recognizing that estuaries have the capacity to provide green resilience infrastructure. Through NERRS, NOAA can tailor science and management practices to enable local planners to use estuarine habitat as a tool for resilience and adaptation.

Through science and science-based management of more than **1.3M acres of protected land**, NERRS provides numerous benefits to communities that result in improved water quality,

increased upland flood and erosion control, and improved habitat quality that support local fisheries and provide storm protection to coastal communities. The approximate **\$10 million federal contribution** in science supports NERRS research and a coastal observing system capacity that informs regional policy that saves communities money. For example, research conducted by the Rookery Bay NERR at Naples, Florida, resulted in modified best management practice training for Florida's landscape industry, thus saving local businesses hundreds of thousands of dollars. It is important to emphasize that the work at each reserve goes beyond its property boundaries and creates a number of environmental and economic benefits for the communities and regions where they exist.

Additionally, NERRS supports community planning initiatives by providing training to local officials and residents about critical resource management issues such as impending hazards, storm water control, shoreline management, and habitat restoration. The NERRS training is designed to help people on the ground and to get resources in the hands of the community—all of which amount to **saving states and local communities more than \$13.4 million annually**.

The reserves have a tremendous positive impact on our economy including work to maintain clean water, keep the seafood and fishing industry viable, provide opportunities for local tourism, and provide communities with practical help and science-based information to address coastal hazards. Estuaries, where rivers meet the sea, provide nursery ground for two-thirds of commercial fish and shellfish. Protected and well managed estuaries including those managed by the NERRS keep commercial and recreational fishermen sustainable, contributing over **\$2.7B to the shellfish and seafood industry in 2012 and 2009 respectively** in states that have a reserve and over **\$28B in ocean-dependent industries in 2011** along our coasts (Source: National Ocean Economic Program and NOAA Fisheries, Office of Science and Technology). In 2010, coastal counties that included a NERR supported **more than 468,000 jobs in ocean-dependent industries** (Source: Bureau of Labor Statistics; NOAA).

Protection of these important estuaries within the NERRS can have a significant impact on specific ecologically and economically important species. For example, Apalachicola Bay, FL, home to one of three reserves in the state, produces approximately 90% of Florida's oyster harvest and 10% of the total US harvest (Source: Wilber, 1992)

Beyond the economic benefits to our national, state, and local economies, reserves operate national infrastructure that brings science to the management of our coasts and helps our communities prepare for weather and accident related disasters. **NERRS is a leader in coastal monitoring** that provides immediate and long-term data to assess water quality in support of state environmental programs and water dependent industries, enhance understanding of harmful algal blooms, guide and track habitat restoration and reconstruction strategies, identify ecosystem impacts from changing sea levels and temperature, aid in weather and marine forecasting, and improve emergency and insurance industry response to storm surges and inundation.

Being integral members of coastal communities is a key element to NERRS successful delivery of science and monitoring data as evidenced in the Deep Water Horizon Oil Spill of 2010, a coastal area that is home to five reserves. We know that the billion dollar tourism and seafood

industries depend upon clean water, and during the Deep Water Horizon Oil Spill crisis the communities and industries along the Gulf Coast relied on disaster support efforts including the wide variety of data supplied by the five Gulf Coast NERRs, some of which continues today.

Each reserve receives operation funds from NOAA that are matched by the states and are used to leverage significantly more private and local investments that results in each reserve having, on average, more than five program partners assisting to implement this national program. In addition, the program significantly benefits from volunteers that are engaged in habitat restoration, citizen science and education which offset operation costs at reserves by donating thousands of hours. **Annually, volunteers contribute more than 100,000 hours to the NERRS with an estimated value of over \$2.2 million.**

NERRS have made countless economic contributions to their local communities, states, and the nation. In the aftermath of Superstorm Sandy, the Jacques Cousteau Reserve in New Jersey was cited by CNN as being “a natural sponge...for absorbing storm and tidal surges.”(November 3, 2012). In the category of eco-tourism, **more than 2 million people annually visit the NERRS:** an estimated **more than \$20 million** is generated annually in direct benefit from these visitor use opportunities (estimated using federal, state, and local park entry fees). Visitors to our reserves walk and snowshoe the trails, paddle the waterways, watch wildlife, hunt and fish, engage in community stewardship and restoration programs, and participate in numerous public outreach activities and events at each of our 28 reserves.

In addition, NERRS strategically contributes more than **\$4.9M annually in education** relief to offset costs to communities that face tight budgets in meeting the needs of local school districts. Through *Estuaries 101* curriculum, NERRS prepares the next generation workforce in the key disciplines of **science, technology, engineering and math (STEM education)**. The Bay-Watershed Education Training (B-WET) regional program funding is money that is spent *in addition* to the annual NERRS money invested in the education programs. The NERRS educate more than 83,000 children annually.

The NERRS Procurement, Acquisition, and Construction (PAC) funding is designated for land conservation, through acquisition of priority lands, and essential facilities construction and upgrades. This competitive funding program is matched by state funds and has resulted in not only the preservation of critical coastal lands as described above, but also in the increase of construction jobs. For example NERRS **creates more than 60 jobs for each \$1 million of federal construction (PAC) money spent.** In addition, NERRS leveraged investments of more than \$115 million to purchase over 30,000 acres of coastal property over the last 12 years.

Conclusion

NERRA greatly appreciates the support the Subcommittee has provided in the past. This support has been critical to sustain and increase the economic viability of coastal and estuary-based industries.

With NERRA's FY 2015 request of \$22.9 million for the NERRS and \$1.7 million for NERRS PAC, the program will be able to maintain delivery of credible scientific research that contributes to the resiliency of the natural and built communities and that yields a high rate of return to the 28, soon to be 29, coastal gems around the country. We urge the Subcommittee to support this request, and to restore funding for the B-WET regional program and other NOAA education activities.

Thank you for the opportunity to present these remarks. On behalf of NERRA, I would be happy to answer questions or provide additional information to the Subcommittee.



Allen Riley, Sheriff

Office of the Sheriff County of Madison



John E. Ball, Undersheriff

March 28, 2014

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science

Dear Honorable Wolf:

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Thank you for your attention to this important request.

Sincerely,

Allen Riley
Madison County Sheriff

ACCOUNTABILITY

INTEGRITY

PROFESSIONALISM

P.O. Box 16, WAMPSVILLE, NEW YORK 13163
PH: 315-366-2318 FAX: 315-366-2286 <http://madisoncountysheriff.us>

Testimony of Anthony F. (Bud) Rock
 President and Chief Executive Officer, Association of Science-Technology Centers
 submitted to the House Appropriations Subcommittee
 on Commerce, Justice, Science, and Related Agencies
 March 31, 2014

Seeking Support for the Following Agencies and Programs in FY 2015:
National Aeronautics and Space Administration – CP4SMP+
National Oceanic and Atmospheric Administration – B-WET and ELG
National Science Foundation – AISL

Introduction

Chairman Wolf, Ranking Member Fattah, and Members of the Subcommittee, thank you for the opportunity to submit written testimony for the record. My name is Anthony (Bud) Rock, and I serve as the President and Chief Executive Officer of the Association of Science-Technology Centers (ASTC). My testimony today addresses the importance of science, technology, engineering, and mathematics (STEM) education, and will focus specifically on the fiscal year (FY) 2015 budgets for four specific programs at three Federal agencies over which your Subcommittee has jurisdiction, including: (1) the Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers Plus Other Opportunities (CP4SMP+) at the National Aeronautics and Space Administration (NASA), which would not be funded under the President's FY 2015 Request; the Bay-Watershed Education and Training (B-WET) Regional Programs and Environmental Literacy Grants (ELG) Program at the National Oceanic and Atmospheric Administration (NOAA), which would not be funded under the President's FY 2015 Request; and the Advancing Informal STEM Learning (AISL) program at the National Science Foundation (NSF), which would receive \$55 million under the President's FY 2015 Request.

Our Request

On behalf of ASTC and the nearly 400 science centers and museums the Association represents here in the United States, I urge the Subcommittee to continue its strong support for critical STEM education programs within NASA, NOAA, and NSF as the Commerce, Justice, Science, and Related Agencies Appropriations Bill for FY 2015 moves forward. **Specifically, I ask that you:**

- **Provide \$10 million for the Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers Plus Other Opportunities at the National Aeronautics and Space Administration.**
- **Provide \$12 million for the Bay-Watershed Education and Training Regional Programs and \$8 million for the Environmental Literacy Grants Program at the National Oceanic and Atmospheric Administration.**
- **Provide \$63 million for the Advancing Informal STEM Learning program at the National Science Foundation.**
- **Continue to closely examine any proposals that would seek to consolidate and/or reorganize Federal STEM education programs in an effort to ensure that stakeholder input has been sought and that proven, successful programs are maintained.**

Before going into more detail about ASTC and the science center and museum field, I want to first offer a brief snapshot of these Federal programs and why they are so essential.

National Aeronautics and Space Administration

NASA's **Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers Plus Other Opportunities** (which is offered through the agency's STEM Education and Accountability Program) provides resources for education or research engagement projects, exhibits, and/or partnerships with K-12 schools to support inquiry- or experiential-based activities led by informal education institutions—like science centers and museums—that feature NASA missions, science, engineering, explorations, or technologies. In December 2013, NASA announced that it would be awarding grants to six museums and four NASA visitor centers in ten states in an effort to further its laudable goal of attracting more students to STEM careers. Awardees will create interactive exhibits, virtual worlds, professional development activities, and community-based programs to engage students, teachers and the public in STEM. In but one example, the U.S. Space & Rocket Center in Huntsville, Alabama (which serves as the official visitor information center for NASA's Marshall Space Flight Center), will create a new permanent exhibit and develop and deliver a professional development program for educators, both featuring the International Space Station and the future of space exploration. The professional development program will include a special emphasis on recruiting formal educators serving in Title I schools in an effort to ensure that 40% of the total attendees are from this demographic.

Though Congress provided \$9.3 million in FY 2013 (the FY 2014 funding level has not yet been released), the President did not include funding for the program in his FY 2015 Budget Request. I encourage the Subcommittee to continue its strong support for the CP4SMP+ by providing \$10 million in FY 2015 funding.

National Oceanic and Atmospheric Administration

NOAA's **Bay-Watershed Education and Training Regional Programs** are environmental education programs that promote locally relevant, experiential learning in the K-12 environment. The program aims to promote environmental literacy in society, supporting individuals to understand, protect, and restore watersheds and related ocean, coastal, and Great Lakes ecosystems; in 2012 alone, B-WET reached over 60,000 students and 5,000 teachers, and it currently serves seven areas of the country: California, the Chesapeake Bay, the Great Lakes, the Gulf of Mexico, Hawai'i, New England, and the Pacific Northwest.

NOAA's Office of Education advances public environmental literacy and STEM learning through the **Environmental Literacy Grants Program**, a competitive offering that supports formal and informal education projects that are implemented on regional to national scales. The ELG Program's primary mission is to increase the understanding and use of environmental information to promote stewardship and increase informed decision making by U.S. educators, students, and the public, which directly contributes to NOAA's mission. To date, more than 80 competitive awards have been made, supporting a wide range of projects including teacher training, experiential learning for youth and families, and the development of media products and public opinion research; the ELG Program advances STEM education at a national level by

providing more than 54 million people annually with access to compelling, up-to-date information on the ocean, coasts, Great Lakes, weather, and climate.

Unfortunately, the President's FY 2015 Budget Request once again proposes the termination of both the B-WET and the ELG programs, which received \$7.2 million and \$3.6 million for FY 2014, respectively. For FY 2015, I urge you to remain supportive of the programs by providing \$12 million in funding for B-WET and \$8 million in funding for the ELG Program.

National Science Foundation

The **Advancing Informal STEM Learning** program, offered by the Directorate for Education and Human Resources and the Division of Research on Learning in Formal and Informal Settings, seeks to advance new approaches to and evidence-based understanding of the design and development of STEM learning in informal environments; provide multiple pathways for broadening access to and engagement in STEM learning experiences; advance innovative research on and assessment of STEM learning in informal environments; and develop understandings of deeper learning by participants. In 2012, Philadelphia's Franklin Institute was awarded a grant that builds on a previous pilot study that focused on the Philadelphia area and found that children and families learned and assimilated STEM concepts better when there was an integrated system that combined children's literature and hands-on/inquiry-based STEM experiments. The new phase will explore this further and adds 10 more sites across the country.

The President's FY 2015 Budget Request includes \$55 million—the FY 2014 appropriated level—for AISL. I encourage the Subcommittee to provide \$63 million for the program, which would restore it to its FY 2012 level.

STEM Education Consolidation and Reorganization

With regard to the Federal STEM education consolidation plan released by the Administration last year, I recognize the importance of creating efficiencies within the Federal government whenever possible. Nevertheless, I had serious concerns about a proposal that would altogether eliminate programs that support informal STEM education. Integral Federal investments, including the NASA and NOAA offerings I've touched upon, were slated for elimination, with their associated resources directed to the Department of Education, NSF, and the Smithsonian Institution. Again, I sincerely appreciate the Subcommittee's thoughtful consideration of the harmful effect the proposed terminations would have had and all you did to save these programs. For FY 2015, the Administration is offering what they call a "fresh reorganization" of Federal STEM education programs, which I urge the Subcommittee to closely examine. While I am pleased that some priority programs (including the Science Education Partnership Award program at the National Institutes of Health) are no longer slated for termination, I am troubled that the aforementioned STEM education programs at NASA and NOAA are once again zeroed-out in the FY 2015 Budget Request.

About ASTC and Science Centers

The Association of Science-Technology Centers is a global organization providing collective voice, professional support, and programming opportunities for science centers, museums, and related institutions, whose innovative approaches to science learning inspire people of all ages about the wonders and the meaning of science in their lives. Science centers are sites for

informal learning, and are places to discover, explore, and test ideas about science, technology, engineering, mathematics, health, and the environment. They feature interactive exhibits, hands-on science experiences for children, professional development opportunities for teachers, and educational programs for adults. In science centers, visitors become adventurous explorers who together discover answers to the myriad questions of how the world works—and why. As Members of this Subcommittee know, it is imperative that we spark an interest in STEM fields at an early age—a key role for community-based science centers and museums, who often undertake this effort with the aforementioned modest—but important—support from NASA, NOAA, and NSF, in addition to other Federal agencies.

ASTC works with science centers and museums to address critical societal issues, locally and globally, where understanding of and engagement with science are essential. As liaisons between the science community and the public, science centers are ideally positioned to heighten awareness of critical issues like agriculture, energy, the environment, infectious diseases, and space; increase understanding of—and exposure to—important and exciting new technologies; and promote meaningful exchange and debate between scientists and local communities.

ASTC now counts 651 members, including 490 operating or developing science centers and museums in 45 countries. Collectively, our institutions garner 93 million visits worldwide each year. Here in the United States alone, our guests—and your constituents—pass through science center doors more than 66 million times to participate in intriguing educational science activities and explorations of scientific phenomena. The National Science Board's recently released *Science and Engineering Indicators 2014* generally supports this data, reporting that 58% of Americans said they had visited a zoo, aquarium, natural history museum, or science and technology museum in the 12 months prior to the 2012 survey. *Indicators* also found that:

U.S. residents may also come in contact with science and technology (S&T) through America's rich and diverse informal science and cultural institutions. Many of these institutions actively try to broaden and deepen Americans' intellectual and emotional engagement with science (Bell, Lewenstein, Shouse, and Feder 2009). By offering visitors the flexibility to pursue individual curiosity, such institutions provide exposure to S&T that is well-suited to helping people develop their interests and improve their knowledge, and such institutions can sometimes even change patrons' attitudes.

Science centers come in all shapes and sizes, from larger institutions in big metropolitan areas to smaller centers in somewhat less populated ones. ASTC represents institutions as diverse as the Academy of Natural Sciences of Drexel University and the Franklin Institute in Philadelphia, Pennsylvania; the Mary G. Harden Center for Cultural Arts in Gadsden, Alabama; the Mayborn Science Theatre in Killeen, Texas; the Shenandoah Discovery Museum in Winchester, Virginia; and the Terry Lee Wells Nevada Discovery Museum in Reno, Nevada.

Science Centers as an Integral Part of the Nation's Educational Infrastructure

Science centers are physical—and virtual—places where science and citizens meet. Many have scientists on staff, and some feature research facilities on-site. Through exhibits and programming—like lectures and science cafés—science centers bring current research findings

to the public while encouraging discussion and debate of current science issues. More and more, science centers are also getting members of the public involved in research projects themselves.

Our centers reach a wide audience, a significant portion of which are school groups. Here in the U.S., 94% of our members offer school field trips, and we estimate that more than 13 million children attend science centers and museums as part of those groups each year. Field trips, however, are truly just the beginning of what science centers and museums contribute to our country's educational infrastructure, as: 92% offer classes and demonstrations; 90% offer school outreach programs; 76% offer workshops or institutes for teachers; 74% offer programs for home-schoolers; 67% offer programs that target adult audiences; 65% offer curriculum materials; 50% offer after-school programs; 34% offer youth employment programs; and 22% offer citizen science projects.

As Subcommittee Members know, there is a strong consensus that improving STEM education is critical to the nation's economic strength and global competitiveness in the 21st century. In order to improve STEM education, of course, we must be willing to draw on a full range of learning opportunities and experiences, including those that occur outside of the classroom. In its report entitled *Learning Science in Informal Environments: People, Places, and Pursuits* (2009), the National Research Council (NRC) of the National Academies said "beyond the schoolhouse door, opportunities for science learning abound..." The NRC found, among other things, that there is ample evidence to suggest that science learning takes place throughout the lifespan and across venues in non-school settings. Furthermore, the report highlighted the role of after-school STEM education in promoting diversity and broadening participation, finding that non-school environments can have a significant impact on STEM learning outcomes in historically underrepresented groups, and that these environments may be uniquely positioned to make STEM education accessible to all.

Conclusion

With this in mind, and while I am fully aware of the significant budget challenges that face this Subcommittee, Congress, and the nation, I hope you will continue to recognize the important educational offerings science centers and museums make available to students, families, and teachers, along with the essential Federal support they receive from NASA, NOAA, and NSF.

Again, I respectfully request that you provide \$10 million for the Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers Plus Other Opportunities at the National Aeronautics and Space Administration; \$12 million for the Bay-Watershed Education and Training Regional Programs and \$8 million for the Environmental Literacy Grants Program at the National Oceanic and Atmospheric Administration; and \$63 million for the Advancing Informal STEM Learning program at the National Science Foundation. In addition, please continue to closely examine any proposals that would seek to consolidate and/or reorganize Federal STEM education programs in an effort to ensure that stakeholder input has been sought and that proven, successful programs are maintained.

Thank you once again for your strong support for America's science centers and museums—and for the opportunity to present these views. My staff and I would be happy to respond to any questions or provide additional information as needed by the Subcommittee.

Kristy L. Runde
Hazel Green, WI

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper species. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ, and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings

from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

NERR:

Impacts of Closure to the Reserve-Strategic Location and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff (7) are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education

K-12 field trips

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship

Volunteer service at the Rachel Carson Reserve

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research

Research permits

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program

Coastal Training Program workshops

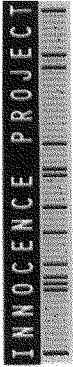
- 31 workshops
- 1076 participants

NOS:

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological

Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.



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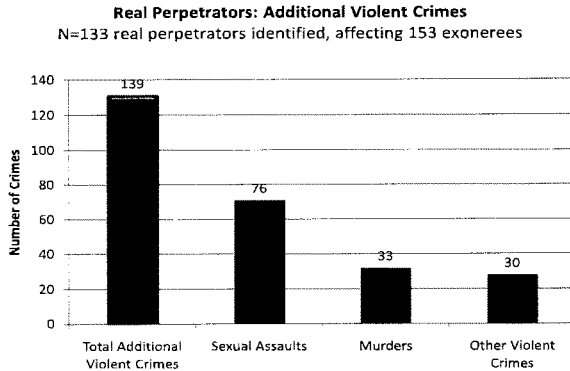
www.innocenceproject.org

**WRITTEN STATEMENT OF STEPHEN SALOOM, ESQ.
SENIOR POLICY ADVISOR, INNOCENCE PROJECT
ON THE DEPARTMENT OF JUSTICE'S AND COMMERCE'S FY 2015 BUDGET
BEFORE THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON
COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
March 31, 2014**

On behalf of the Innocence Project, thank you for allowing me to submit testimony to the House Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies as it considers budget requests for fiscal year 2015, and thank you for the Subcommittee's support of innocence and forensic science research programs in FY 14. I write to request FY 15 funding for the following programs, please:

- **\$4 million** for the Wrongful Conviction Review and Capital Litigation Improvement Programs (*the Wrongful Conviction Review Program is a part of the Capital Litigation Improvement Program*), at the Department of Justice (DoJ), Bureau of Justice Assistance;
- **\$4 million** for the Kirk Bloodsworth Post-Conviction DNA Testing Program (the "Bloodsworth Program") at the DoJ, National Institute of Justice (NIJ);
- **\$12 million** for the Paul Coverdell Forensic Sciences Improvement Grant Program (the "Coverdell Program") at the NIJ;
- **\$6 million** for the Department of Justice to support the National Commission on Forensic Science; research at the National Institute of Justice; and related forensic science standards setting activities at the National Institute of Standards and Technology (NIST);
- **\$11 million** for NIST to support forensic science research and measurement science.

Freeing innocent individuals and preventing wrongful convictions through reform *greatly benefits public safety*. Every time DNA identifies a wrongful conviction, it enables the identification of the real perpetrator of those crimes. *True perpetrators have been identified in approximately half of the over 300 DNA exoneration cases*. Unfortunately, many of these real perpetrators had gone on to commit additional crimes while an innocent person was convicted and incarcerated in their place.



To date, 314 individuals in the United States have been exonerated through DNA testing, including 18 who served time on death row. These innocents served on average more than 13 years in prison before exoneration and release. However, I want to underscore the value of federal innocence programs not to just these exonerated individuals, but also to public safety, fairness, and achieving true justice for victims of violent crimes. It is important to fund these critical innocence programs because reforms and procedures that help to prevent wrongful convictions enhance the accuracy of criminal investigations, strengthen criminal prosecutions, and result in a stronger, fairer system of justice that provides true justice to victims of crime.

Wrongful Conviction Review Program

Particularly when DNA is not available, or when DNA alone is not enough to prove innocence, proving one's innocence to a level sufficient for exoneration is difficult compared to "simply" proving the same with DNA evidence. These innocents languishing behind bars require expert representation to help navigate the complex issues that invariably arise in their bids for post-conviction relief. And the need for such representation is enormous when only a small fraction of cases involve evidence that could be subjected to DNA testing. (For example, it is estimated that among murders, only 10% of cases have the kind of evidence that could be DNA tested.) Realizing the imperative presented by such cases, the BJA dedicated part of its Capital Litigation Improvement Program funding to create the Wrongful Conviction Review program.¹ The program provides applicants—non-profit organizations and public defender offices dedicated to exonerating the innocent—with funds for providing high quality and efficient representation for potentially wrongfully convicted defendants in post-conviction claims of innocence.

The program's goals, in addition to exonerating the innocent, are significant: to alleviate burdens placed on the criminal justice system through costly and prolonged post-conviction litigation and to identify, whenever possible, the actual perpetrator of the crime. Above all, though, this

¹ Reauthorization of the Innocence Protection Act. 111th Cong., 1st Sess., 8 (2009) (testimony of Lynn Overmann, Senior Advisor, Office of Justice Programs).

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program forms a considerable piece of the comprehensive federal package of innocence protection measures created in recent years; without it, a great deal of innocence claims might otherwise fall through the cracks.

Numerous local innocence projects have been able to enhance their caseloads and representation of innocents as a result of the Wrongful Conviction Review grant program, including those in Florida, Ohio, and in North Carolina at Duke University School of Law. The Reinvestigation Project, run through the Office of the Appellate Defender in New York, used funding for a nearly two year investigation that led to the exonerations of Latisha Johnson and Malisha Blyden. The investigation called for hundreds of hours of locating and interviewing witnesses, reviewing evidence, and reconstructing the original investigation. Reinvestigation Project's efforts not only led prosecutors to vacate the convictions, but also identified one of the real perpetrators. The Arizona Justice Project recently exonerated four innocent Arizonians who had served over a combined 100 years. The Exoneration Initiative in New York, cleared a backlog of hundreds of cases which allowed them to secure three exonerations and provided critical support that led to two other exonerations. In California, the Wrongful Conviction Review grant helped California Innocence Project (CIP) free Daniel Larsen after 13 years in prison. Funds helped CIP to reverse Mr. Larsen's conviction after identifying new witnesses who credibly testified that it was another individual. The program also has helped to support Hawaii Innocence Project, which recently secured the release of the first Native Hawaiian exonerated by DNA testing.

To help continue this important work, we urge you to please provide a total of \$4 million for the Wrongful Conviction Review and the Capital Litigation Improvement Programs to help bring to parity with the critical Bloodsworth Program, that focuses on Post-Conviction DNA testing and cases. (*The Wrongful Conviction Review Program is a part of the Capital Litigation Improvement Program.*)

The Bloodsworth Program

The Bloodsworth Program provides hope to innocent inmates who might otherwise have none by helping states more actively pursue post-conviction DNA testing in appropriate situations. These funds have had a positive impact that has led to great success. Many organizational members of the national Innocence Network have partnered with state agencies that have received Bloodsworth funding.²

The Bloodsworth Program does not fund the work of organizations in the Innocence Network directly, but state applicants which seek support for a range of entities involved in settling innocence claims, including law enforcement agencies, crime laboratories, and a host of others – often in collaboration with each other, and with Innocence Network organizations. For example, a Bloodsworth grant to Arizona allowed the Arizona Attorney General's Office to partner with the Arizona Justice Project to create the Post-Conviction DNA Testing Project. This effort

² The Innocence Network is an affiliation of organizations dedicated to providing pro bono legal and investigative services to individuals seeking to prove innocence of crimes for which they have been convicted and working to redress the causes of wrongful convictions.

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canvassed the Arizona inmate population, reviewed cases, worked to locate evidence and filed joint requests with the court to have evidence released for DNA testing. In addition to identifying the innocent, *Arizona Attorney General Terry Goddard has noted that the “grant enable[d] [his] office to support local prosecutors and ensure that those who have committed violent crimes are identified and behind bars.”*³ Such joint efforts have also been pursued in Connecticut, Louisiana, Minnesota, North Carolina, and Wisconsin. Most recently, Joseph Frey was released from prison after serving nearly 8 years for a rape he did not commit. The Wisconsin Innocence Project (WIP) was able to achieve his exoneration in part through DNA testing funded by the Bloodsworth program.

The Bloodsworth program is a relatively small yet powerful investment for states seeking to do critically important work: to free innocent people who were erroneously convicted and to identify the true perpetrators of crime. *The program has resulted in the exonerations of 22 wrongfully convicted persons in 10 states, and the true perpetrator was identified in 8 of those cases.* For instance, Virginian Thomas Haynesworth was freed thanks to Bloodsworth-funded testing that also revealed the real perpetrator. **As such, we ask that you please provide \$4 million to continue the work of the Bloodsworth Post-Conviction DNA Testing Program.**

The Coverdell Program

Recognizing the need for independent government investigations in the wake of forensic scandals, Congress created the forensic oversight provisions of the Coverdell Program, a crucial step toward ensuring the integrity of forensic evidence. Specifically, in the Justice for All Act, Congress required that

[t]o request a grant under this subchapter, a State or unit of local government shall submit to the Attorney General...a certification that *a government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results* committed by employees or contractors of any forensic laboratory system, medical examiner’s office, coroner’s office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.⁴

The Coverdell Program provides state and local crime laboratories and other forensic facilities with much needed federal funding to carry out their work both efficiently and effectively. Now, more than ever, as forensic science budgets find themselves on the chopping block in states and localities nationwide, the very survival of many crime labs may depend on Coverdell funds. **As the program supports both the capacity of crime labs to process forensic evidence and the essential function of ensuring the integrity of forensic investigations in the wake of serious allegations of negligence or misconduct, we ask that you please provide \$12 million for the Coverdell Program in fiscal year 2015.**

³ Arizona receives federal DNA grant, <http://community.law.asu.edu/news/19167/Arizona-receives-federal-DNA-grant.htm> (last visited Mar. 13, 2012).

⁴ 42 U.S.C. § 3797k(4) (emphasis added).

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Forensic Science Improvement

To continue the critical work to improve forensic science, and help prevent wrongful convictions, we request **\$17 million to support forensic science improvements, including:**

- **\$6 million for the Department of Justice, including:**
 - **\$1 million** for the DOJ-NIST National Commission on Forensic Science to continue its work.
 - **\$2 million** for the National Institute of Justice to conduct implementation and applied research in this area.
 - **\$3 million** to go to NIST to support technical standards development in forensic science through the proposed Organization of Scientific Area Committees.
- **\$11 million for the National Institute of Standards and Technology (NIST)** at the Department of Commerce. *As the sole entity that is both perfectly positioned and capable of conducting measurement science and foundational research in support of forensic science*, NIST's work will improve the validity and reliability of forensic evidence, a need cited by the National Academy of Sciences 2009 report, *Strengthening Forensic Science in the United States: A Path Forward*. NIST's reputation for innovation will result in technological solutions to advance forensic science applications and achieve a tremendous cost savings by reducing court costs posed by litigating scientific evidence and redirecting resources to identifying the true perpetrators of crime.

Additional Note on the Department of Justice's Budget Requests

In FY 15, the Department of Justice's budget proposal, as it has in past years, would defund two of the above programs – the Coverdell and Bloodsworth Programs. We are concerned about the impact that zeroing out the Bloodsworth and Coverdell programs would have on the requirements and incentives that they currently provide for states to prevent wrongful convictions and otherwise ensure the integrity of evidence. These incentives have proven significant for the advancement of state policies to prevent wrongful convictions. Indeed, the Coverdell program forensic oversight requirements have created state entities and processes for ensuring the integrity of forensic evidence in the wake of scandal that has undermined public faith in forensic evidence. *The Coverdell program oversight requirements are essential to ensuring the integrity of forensic evidence in the wake of identified acts of forensic negligence or misconduct.* The Innocence Project recommends that Congress maintain and fund these two programs by name, in order to preserve their important incentive and performance requirements. Doing away with these requirements would thwart the intent of Congress, which was to provide funding only to states that demonstrate a commitment to preventing wrongful convictions in those areas. Additionally, funding these programs would help to achieve their unique goals of providing access to post-conviction DNA testing for those who have been wrongfully convicted, and helping state and local crime labs process the significant amount of forensic evidence critical to solving active and cold cases, which helps to ensure public safety.

Thank you so much for your time and consideration of these important programs, and the opportunity to submit testimony. We look forward to working with the Subcommittee this year.

Zeb Schobernd

Marine Biologist

JHT, Inc.

Dear Members of the Subcommittee,

I am writing to strongly urge the subcommittee to reject the proposal in the President's FY2015 budget to close the NOAA laboratory in Beaufort, North Carolina, and to instead fund this facility so that the crucial work being done there can continue on into the future. This laboratory is uniquely located to address key marine science issues throughout the east coast of the US, and its loss would represent a devastating blow to the fisheries interests in the region. The decision to try and close the Beaufort facility represents a narrow-minded approach to a temporary funding concern that is dwarfed in comparison by the potential damage done to the research conducted on the marine resources in the southeast. While I am addressing the committee as a private citizen concerned about this issue and not representing the interests of any federal agency or my employer, I have been a contractor for NOAA for most of the past decade and can attest to both the quality of the research done at this facility and the harm that would be caused by its closing.

The financial reasons given by the leadership of the National Ocean Service (NOS) for closing the Beaufort facility have been misrepresented and overblown. In their justification for closing the lab, NOS cited only the NOS employees that would be impacted, grossly underestimating the total number of workers at the site. In addition to NOS, the lab also houses National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS) programs; between the three groups there are 108 federal, state, and contract employees at the facility, a much larger disruption of staff than initially claimed. Additionally, NOS cited a cost of future maintenance repairs to the facility that was outdated and did not take into account recent work that has been done to upgrade the laboratory and its infrastructure. Since 2006, approximately \$14 million in repairs and upgrades have been accomplished, including the replacement of multiple buildings. The closure of this facility, after so much has been invested in its improvement in recent years, seems like a clear waste of taxpayer money, especially given that a 2014 report showed that the facility is structurally sound.

Beyond the financial considerations, however, the closure of the Beaufort lab would be a grave error because of the loss of high-quality science and scientists associated with the facility. Located at the intersection of two distinct marine environments, the NOAA laboratory in Beaufort is uniquely situated to study one of the most diverse ecosystems in the country. The lab is an international leader in studies of harmful algal blooms (HABs) and the invasion of lionfish into the waters of the Atlantic Ocean, both of which are currently having a significant impact on the fisheries resources of the United States. The NMFS programs at the lab are responsible for the assessment of the major marine fisheries stocks in the southeast, including menhaden (the largest fishery along the Atlantic coast as well as in the Gulf of Mexico) and the

commercially and recreationally important snapper and grouper fisheries. NMFS in Beaufort also provides the only up-to-date information on the currently-closed red snapper fishery along the southeast coast through its SouthEast Fishery-Independent Survey. All of these programs would suffer irreparable damage were the lab to close because NOAA would be unlikely to retain the world-class scientists performing this research in the event their federal positions were transferred to other NOAA facilities in the southeast; the NOAA lab is part of a unique conglomeration of research facilities in the Beaufort area, and the majority of employees would very likely try and remain in the area at a different institution rather than relocate to a less desirable location. Thus, NOAA (and NMFS in particular) would be forced to rebuild these programs from scratch, programs that are required to meet congressional mandates laid out in the Magnuson-Stevens Fishery Conservation and Management Act. Just as importantly for NMFS, the closure of the Beaufort facility would mean that the Fisheries Service would not have a presence along the coast between Sandy Hook, New Jersey and Miami, Florida—an extent that covers over two-thirds of the United States east coast. It is difficult for the agency to claim they are interested in conserving the marine resources of the southeast with such a large spatial gap in representation, especially compared to five NMFS research facilities in the Gulf of Mexico and another five in the northeast.

In summary, the closing of the NOAA facility in Beaufort is bad policy—it is a squandering of taxpayer funds, it is a major detriment to the science being conducted in the southeast, and it makes it more difficult for NMFS to maintain the quality of the work it is federally mandated to achieve. The laboratory in Beaufort has been operating continually since 1899 and was sited here specifically because of its advantageous position so close to so many of our nation's valuable marine resources; Congress owes it to our country to make sure the high-quality work done here continues on for the next 115 years.

Respectfully,

Zeb Schobernd

Dr. Casey Schoenebeck
Associate Professor of Biology
University of Nebraska at Kearney

To whom it may concern,

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper species. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ, and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management

Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

NERR:

Impacts of Closure to the Reserve-Strategic Location and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff (7) are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including

species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education

K-12 field trips

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship

Volunteer service at the Rachel Carson Reserve

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research

Research permits

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program

Coastal Training Program workshops

- 31 workshops
- 1076 participants

NOS:

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

**Outside Witness Testimony from:
Associated Universities, Incorporated**

Submitted by:

**Dr. Ethan Schreier
President, Associated Universities, Incorporated (AUI),**

**Submitted to the Subcommittee on Commerce, Justice and Science
Committee on Appropriations,
United States House of Representatives
Washington, DC**

**Testimony on Fiscal Year 2015 Appropriations
for the National Science Foundation**

March 31, 2014

This written testimony is submitted on behalf of Associated Universities, Incorporated (AUI) to ask you to continue your support of the National Science Foundation (NSF) in Fiscal Year (FY) 2015 by providing NSF with \$7.5 billion. In particular, we urge you to provide strong support for the NSF Division of Astronomical Sciences and the National Radio Astronomy Observatory (NRAO).

My name is Ethan Schreier, President of AUI, a non-profit corporation that operates the National Radio Astronomy Observatory under a Cooperative Agreement with the National Science Foundation. NRAO is a Federally Funded Research and Development Center (FFRDC) that enables forefront research into the Universe at radio wavelengths. Radio astronomy has opened new vistas into the Universe, uncovering the birthplaces of stars and planets, super-massive black holes, gravitational waves and the remnant heat of the Big Bang.

I would like to emphasize how much AUI appreciates your Committee's continued leadership on and recognition of the critical role of the NSF and its support for science and engineering in enabling a strong U.S. economy, workforce, and society.

Today, I submit this testimony to ask you to continue your support of NSF in FY 2015 and beyond.

NSF funds basic research that spurs innovation and discovery in all fields of science and engineering. As a part of this work, NSF provides unique federal support for ground-based astronomy that is answering fundamental questions about our Universe. These questions include how the Universe began, how cosmic structures form and evolve, whether habitable

worlds exist around other stars, and what organic materials exist in space as the building blocks of life.

I join with the research and higher education community and request that you provide NSF with \$7.5 billion overall. I ask that you allocate an additional \$245 million above the budget request to Research and Related Activities (RRA), and within RRA, we encourage you to provide a proportional increase to the Division of Astronomical Sciences to \$249 million.

NSF provides critical funding to support astronomy facilities and the researchers in the United States that use them to answer these questions. In particular, NRAO currently operates four world-leading telescopes funded by NSF for use by the scientific community: the Jansky Very Large Array (VLA) in New Mexico, the most productive, ground-based telescope in history; the Robert C. Byrd Green Bank Telescope (GBT) in West Virginia, the world's largest, fully-steerable telescope; the Very Long Baseline Array (VLBA), the world's largest scientific instrument with 10 dishes spanning North America that enable the most precise angular measurements of any telescope; and the new international Atacama Large Millimeter/ submillimeter Array (ALMA), the largest ground-based astronomy project ever conceived and built, for which AUI is the North American lead, overseeing NRAO's construction and operations for the North American science community. Each of these telescopes fills a unique and essential science role, and each is the best in the world in its category. NRAO's Headquarters, and the focus of its radio technology development, is in Virginia.

Certain physical phenomena are only observable by their radio signals. Just as visible light from space carries information about stars and the astronomical objects that are illuminated by them, radio waves are emitted by important celestial phenomena that are often invisible to our eyes, even with the best optical telescopes. For example, stars form from collapsing cold clouds of molecules and dust that are too cold and obscured to be observed by any other technique. The earliest stages of star formation, one of the most basic processes of astrophysics, are invisible even to the Hubble Space Telescope or the future James Webb Space Telescope and can only be studied using the techniques of radio astronomy. Radio astronomy also offers cost-effective methods to complement other techniques. For example, radio astronomers are using accurate timing of pulsars – fast-spinning, highly dense, collapsed (*neutron*) stars – to search for the gravitational waves predicted by Einstein's Theory of General Relativity. This technique, which uses NRAO's Green Bank Telescope among other facilities, is a complement to the Laser Interferometer Gravitational Wave Observatory (LIGO) and other gravitational wave detectors.

NRAO facilities provide transformational and unique scientific capabilities that enable the astronomy community to answer many fundamental questions about the Universe including those highlighted by the recent National Academy's Decadal Survey, *New Worlds New Horizons*, studying galaxies as they form and grow since the earliest times of the Universe, directly imaging planets in formation around nearby stars, and directly detecting gravitational waves from the merging of massive black holes.

We ask that you continue the FY 2014 level for NRAO operations to support ongoing activities at U.S. NRAO facilities. Support for these facilities will sustain groundbreaking research capabilities as well as our very active science, technology, engineering, and mathematics (STEM) education and public outreach programs. We additionally hope you will support the President's budget request for the ALMA project, now nearing completion of construction, at \$40.17 million for FY 2015. This represents a \$5.9 million increase to the AST budget as the ALMA project ramps up to full operations.

AUI also supports the important NSF initiative to fund midscale research infrastructure at \$29 million, an increase of \$8.25 million above the FY 2014 enacted level. These funds would support scientific instrumentation that facilitate student training, bridging the gap between small laboratory-scale instrumentation and large multi-user facilities. This midscale program request would implement a priority identified by the National Academy's most recent decadal survey of astronomy and astrophysics.

We would like to conclude by thanking you again for your ongoing support of NSF that enables the research and education communities it supports, including thousands of astronomers, to undertake activities that contribute to the health, security, and economic strength of the U.S. NSF needs sustained annual funding to maintain our competitive edge in science and technology, and therefore we respectfully ask that you continue robust support of these critical programs in FY 2015. I appreciate the opportunity to provide testimony to the Committee on behalf of AUI. I am happy to provide any additional information or assistance you may ask of us during the FY 2015 appropriations process.

Ray Schueller
 Welding Instructor
 Carteret Community College

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity.

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

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In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.



NATIONAL AQUARIUM

Pier 3 / 501 East Pratt Street
Baltimore, Maryland 21202-3194
www.aqua.org

March 26, 2014

The Honorable Frank Wolf
Chairman
Commerce, Justice, Science and Related Agencies Subcommittee
House Appropriations Committee
H-304, The Capitol
Washington, DC 20515

The Honorable Chaka Fattah
Ranking Member
Commerce, Justice, Science and Related Agencies Subcommittee
House Appropriations Committee
H-304, The Capitol
Washington, DC 20515

Dear Chairman Wolf and Ranking Member Fattah:

As you begin work on the Commerce, Justice, Science, and Related Agencies appropriations bill for fiscal year 2015, we respectfully urge you to restore funding for the John H. Prescott Marine Mammal Rescue Assistance Grant Program to FY2012 enacted levels, \$3.5M. The President's fiscal year 2015 budget request reduces funding for the Prescott Grant Program by \$2.5 million, and we firmly believe there are many serious consequences to cutting this critical source of modest funding to the nation's stranding networks. One such concern is the inability of the National Oceanographic and Atmospheric Administration (NOAA) to continue to meet its legal obligation outlined in the Marine Mammal Protection Act of 1972.

In 2000, the Marine Mammal Rescue Assistance Act amended the Marine Mammal Protection Act to establish the Prescott Grant Program as the sole source of federal funding for stranding response. For the past fourteen years, the national marine mammal stranding network (primarily non-profits and other non-government entities) has provided the local support, skills and expertise necessary for NOAA's National Marine Fisheries Service to fulfill its legal mandate to respond to strandings, including the recovery, rehabilitation, and data collection from stranded marine mammals and administrative costs directly related to the recovery and treatment of these initiatives. No single grant can exceed \$100,000, and a 25% non-federal match is required for each grant. Since the inception of the Prescott Grant Program in 2001 (through 2013), over \$42.5M in federal funds have been distributed to stranding networks to directly support stranding response; in return, Prescott Grant recipients have leveraged an additional 10.6M in matching funds that have directly supported NOAA stranding response activities.



The National Aquarium has been an active member of the national stranding network since 1991, and is the only organization permitted to respond to live-stranded marine mammals and sea turtles along nearly 4,400 miles of coast in Maryland. Our cooperators for the recovery of beached carcasses is the Maryland Department of Natural Resources (MD-DNR), and our staff work closely for stranding response, research, training, and emergency preparedness. As part of the Northeast Region (NER) Stranding Network, the National Aquarium is an important collaborator of stranding response and rehabilitation thanks in part to previous Prescott funding. Our program has trained hundreds of volunteers who donate their time to help save stranded and entangled marine mammals and collect key data. In addition, we contribute equipment, supplies, personnel, and raise over \$100k annually (excluding federal Prescott funds) to support stranding response and rehabilitation activities. Federal funds are a critical piece of our overall funding, and are needed if we are to continue to provide invaluable service to coastal communities – with significant economic and social benefits.

Again, we respectfully urge you to restore funding for the John H. Prescott Marine Mammal Rescue Assistance Grant Program for FY2015. We look forward to working with you in support of this indispensable program, and thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Schwaab', with a long horizontal line extending to the right.

Eric Schwaab
Senior VP / Chief Conservation Officer
410-576-3865
ESchwaab@aqua.org

Submitted by Brian Sharp, manager of the International Fund for Animal Welfare - Marine Mammal Rescue Team, on behalf of the

Northeast Region Stranding Network Consortium

March 31, 2014

Re: Reinstatement of Funding for Nationwide Mammal Stranding Networks administered by NOAA

Dear Representatives of the House Subcommittee on Commerce, Justice, Science and Related Agencies,

The members of the Northeast Region Stranding Network (NERS) Consortium are writing to ask for your serious consideration and support on the very important issue of federal funding for marine mammal stranding response. In recent years, federal funding for the John H. Prescott Marine Mammal Rescue Assistance Grant Program has been dramatically reduced. We ask that you support restoration of funding for this program at the level provided by Congress in FY2012, \$3.5 M. Cuts to this modest, but critical program, have already resulted in a significant reduction in the capacity of individual organizations to respond to stranded marine mammals. These consequences include:

- Reduced collection of important biological data
- Loss of network capacity: many groups have had to reduce the amount of coastline they monitor for stranding response, leaving many areas without any responders
- Increased risk to the public due to reduced capacity. When there are no trained, authorized responders, the public often take matters into their own hands, putting themselves at risk for wounds and the transmission of zoonotic diseases.
- Loss of jobs due to stranding network downsizing

The national marine mammal stranding network is made up mainly of non-profit organizations that operate with few staff and many dedicated volunteers. These organizations provide a service to NOAA Fisheries to fulfill its legal mandate to respond to strandings under the Marine Mammal Protection Act of 1972 (MMPA). Under Title IV of the Act, NOAA is obliged to collect and update information on:

“strandings, which the Secretary shall compile and analyze, by region, to monitor species, numbers, conditions, and causes of illnesses and deaths of stranded marine mammals; and (4) other life history and reference level data, including marine mammal tissue analyses, that would allow comparison of the causes of illness and deaths in stranded marine mammals with physical, chemical, and biological environmental parameters.”

NOAA Fisheries does not have the capacity to fulfill this mandate. Stranding networks provide the skilled and experienced personnel necessary to carry out this work. They do so by raising funds from the public, individual donors and small foundations. However, even the modest amount the Prescott Grant program provides is essential in offsetting the costs of this work. Volunteers and stranding network staff run 24 hour stranding hotlines, dispatch trained personnel to beaches for live and dead animal response and rehabilitate sick and injured marine mammals. Throughout this work, essential data are collected on the health of the animals.

The work done by stranding networks goes beyond the animal welfare provided through response to live stranded animals and the added human safety value of having trained responders. Every animal, live and dead, is examined and key data and samples are collected. These data are used by NOAA in developing sound, science-based policies to protect not only marine mammals, but also ocean ecosystems and human health. Stranded marine mammals provide essential data in identifying emerging diseases and effects of biotoxins which can threaten commercially valuable fish and shellfish species, as well as human health.

The John H. Prescott Marine Mammal Rescue Assistance Grant is the only federal funding dedicated to stranding response. It is unrealistic to assume these dedicated organizations can continue to fulfill an ever growing government agency demand for data and provide this very important public service without adequate federal support.

Lastly, the Prescott Grant Program serves to generate additional public funding for this work. All grant recipients must provide matching funds totaling one third of the federal funds requested. Over the life of the grant program, \$37M in federal funding has leveraged over \$12.3M in public support for this important, federally mandated work. In this case, a little bit of support really goes a very long way. The NERS consortium board and members urge you to demand the re-instatement of funding at the original allocation of \$3.5 M for the John H. Prescott Marine Mammal Rescue Assistance Grant Program. We thank you for your consideration.

Sincerely,

Sean Todd	College of the Atlantic-Allied Whale	Bar Harbor, ME
Shannon Prendiville	University of New England-Marine Animal Rehabilitation & Conservation	Biddeford, ME
Lynda Doughty	Marine Mammals of Maine	Portland, ME
Wendy Lull	Seacoast Science Center	Rye, NH
Connie Merigo	New England Aquarium	Boston, MA

Brian Sharp	International Fund for Animal Welfare	Yarmouth Port, MA
Kathy Zagzebski	National Marine Life Center	Buzzards Bay, MA
Janelle Schuh	Mystic Aquarium	Mystic, CT
Rob DiGiovanni	Riverhead Foundation for Marine Research and Preservation	Riverhead, NY
Robert Schoelkopf	Marine Mammal Stranding Center	Brigantine, NJ
Suzanne Thurman	Marine Education Research and Rehabilitation	Lewes, DE
Jennifer Dittmar	National Aquarium	Baltimore, MD
Mark Swingle	Virginia Aquarium and Marine Science Center	Virginia Beach, VA

Ellen L. Shertzer
 March 31 2014
 Musician, College Conservatory of Music
 University of Cincinnati
 Cincinnati, OH

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS/NERRS Laboratory in Beaufort, North Carolina

Dear Members of the House Committee on Appropriations,

I am gravely concerned about the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory located in Beaufort, North Carolina. This lab is part of the National Oceanic and Atmospheric Administration; it is administered by the National Ocean Service (NOS), but also houses the National Marine Fisheries Service (NMFS) and National Estuarine Research Reserve System (NERRS). I am writing this letter as a private citizen, and the views expressed are not intended to represent those of any government agency. The proposal to close this laboratory is a short-sighted reaction to a short-term problem.

The closure of NOAA's Beaufort Laboratory proposed in the 2015 President's Budget Request should not be included the NOS budget. Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; sea grass; pathogens; and snapper and grouper monitoring and ecology. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. Furthermore, **this lab is the originator and centerpiece of an internationally esteemed consortium of marine science institutions**, including the marine laboratories of Duke University, NC State University, the University of North Carolina, and the North Carolina Division of Marine Fisheries. Beaufort was chosen because it is a prime location where northern and southern marine ecological communities intersect, and as such this lab provides the only federal access to the most diverse marine ecosystem in the United States. There is **no other location** where these opportunities can be accessed as **easily** or as **cheaply**. It is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline.

The request to close the laboratory was based on current funding allocation, but inaccurate and outdated information that overstated the costs of maintaining the facility was used in the analysis that led to this request. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account at all for employees from NMFS or NERRS. In effect, **this mistake** excluded more than **half the staff** of the lab. Furthermore, the request was based on **estimated costs** for the lab's upkeep and maintenance that **were in error**. Since 2006, several activities have been completed to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building,

replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. After such investments, closing the lab now would represent **a conspicuous waste of tax-payers' money**. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is **NOT structurally unsound**. Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

Closure of the NOAA Beaufort Laboratory would be devastating scientifically and economically. It would cripple NOAA's ability to accomplish its own Strategic Mission and to meet its obligations toward such Congressional mandates as the Magnuson-Stevens Fishery Conservation and Management Act. The only argument for closing the laboratory was financial, but that argument was based on flawed estimates of maintenance costs and an outdated engineering report, which has since been revised with opposite conclusions regarding the lab's structural integrity. Relative to NOAA's budget, any cost savings associated with closing the lab would be trivial; however the loss to the nation would be monumental.

Sincerely,

Ellen L. Shertzer
1819 Fireside Drive
Cincinnati, OH 45255

Kate I Siegfried
 108 Noreaster Lane
 Beaufort, NC 28516
 850-381-5441
 Kate.Siegfried@gmail.com

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity. I am, however, a National Marine Fisheries Service employee.

I am writing to specifically address the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina listed in the President's proposed FY'15 budget. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOAA budget. In my personal view, NOS and NMFS did not communicate about their respective budgets properly and NOS' budget has dwindled in recent years to the point of where they cannot be the main operator of this facility. Rather than suggest the entire lab be shut down, there should have been more in-depth and reasonable options explored beforehand. I feel like a pawn in this game of chicken that NOS is playing with the appropriations committee. The following is justification on a less personal level of why the lab should remain open and funded.

Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper monitoring and ecology. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab's presence, including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the legally required stock assessments for the US South Atlantic.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million. The stock assessment group is a pillar in the scientific community, managing an impressive throughput for species in the region. These assessments would be stalled for years if the lab were to close and the assessment team's composition would likely change. It is not true that assessments can be done anywhere with any group of people. The low turnover of the assessment group in Beaufort is a testament to the quality of the interactions and work produced at the lab.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve. Moving would also pose serious logistical issues by making it much more expensive and time consuming to reach the vessels they use for the surveys.

N.C. Coastal Reserve and National Estuarine Research Reserve:

Impacts of Closure to the Reserve, Strategic Location, and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education

K-12 field trips

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship

Volunteer service at the Rachel Carson Reserve

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research

Research permits

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program

Coastal Training Program workshops

- 31 workshops
- 1076 participants

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. The National Ocean Service's diminishing budget is behind this game of chicken with the House and Senate, and I find it appalling as a taxpayer and a private citizen whose job is in the balance that such gross neglect of real people and fiscal considerations is put forward in our budget proposal. The federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government.

Sincerely,

Kate I. Siegfried

Robert J Siegwarth
Concerned Citizen

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

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NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy,

Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

Tina Sindahl
101 Barden Rd
Kernersville NC 27284

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity.

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper species. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ, and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

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The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

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Scott Sindelar
 Fisheries Research Assistant
 South Dakota State University

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NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological

Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~\$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.



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March 27, 2014

House Committee on Appropriations
 Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

I am a marine fisheries researcher and wish to express my grave concerns about the President's FY 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, and urge the sub-committee to help reinstate funding for this vital resource. I spent a sabbatical year at the Duke University Marine Lab that shares Pivers Island with the NOAA NOS/NMFS lab and can attest to the strong research and training interactions between the two labs. The Beaufort NOAA NOS/NMFS lab has strong interactions with many other academic institutions, including NC State University, UNC-Chapel Hill, East Carolina University and UNC-Wilmington, and partnerships with the NC Marine Science and Education Partnership, NC Biotechnology Center, and Marine Biotechnology Center of Innovation. The National Estuarine Research Reserve Program is based at the NOAA Beaufort Lab, and the lab also has partnerships with the North Carolina Coastal Federation, and the North Carolina Sea Grant Program. I'm sure that I have missed many other important programs and interactions at the lab.

The Beaufort NOAA Lab conducts vital research and management of natural resources in many areas. A few examples:

- 1) Perhaps foremost of these areas is the lab's research with and forecasting of harmful algal blooms (HABs). The Beaufort Lab supported pioneering and sustained efforts on HABs. Closing the lab at a time when Congress has recently appropriated increased research funding on HABs makes little sense.
- 2) The Beaufort Lab is also renowned for its research with invasive species. The Beaufort lab initiated the first study of the invasive lionfish in the US South Atlantic Bight, providing timely information on distribution, abundance and ecology to inform mitigation and management strategies throughout US Atlantic and Gulf of Mexico waters.
- 3) Another vital role that NMFS fisheries scientists based at the NOAA Beaufort Lab provide is the stock assessment science that allows NOAA to fulfill its obligation (mandated by Congress) toward the Magnuson-Stevens Fishery Conservation and Management Act. The stock assessment science of the NOAA Beaufort Lab focuses on marine fish populations that are ecologically

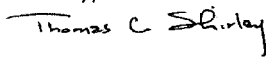
and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Closing the lab would degrade the quality of fish stock assessments at a time when Congress is justifiably calling for improvements in fisheries management.

The unique geographical location of the lab is ideally located for managing and researching the marine resources of the mid-Atlantic coast, and for interacting with academic institutions, state agencies and communities in the region. Closing the lab is a myopic attempt at cost savings, based largely on outdated and flawed reports, which overlooks the overwhelming loss to research and management of marine resources and the multitude of vital interactions the lab has with regional communities, state agencies and academic institutions.

I urge you to please restore funding for this important federal laboratory.

Please contact me if additional information is required or if I may assist in any way.

Sincerely,



Dr. Thomas C. Shirley, Professor Emeritus
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The Island University

WRITTEN STATEMENT OF

**James R. Silkenat, President
AMERICAN BAR ASSOCIATION**

**to the
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
of the
UNITED STATES HOUSE OF REPRESENTATIVES**

**on the subject of
THE LEGAL SERVICES CORPORATION**

March 31, 2014

Chairman Wolf, Ranking Member Fattah, Members of the Subcommittee: Thank you for allowing me to submit remarks today in support of the Legal Services Corporation (LSC). I am James R. Silkenat, President of the American Bar Association (ABA) and a partner in the Sullivan & Worchester LLP law firm in New York City. On behalf of the ABA and its nearly 400,000 members, I would like to express my support for Legal Services and ask that the Committee fund the program at no less than \$430 million—the President’s request for LSC—in its Fiscal Year 2015 budget.

First and foremost, I would like to thank the Committee for increasing LSC’s appropriation by \$25 million in FY14. At a time when more Americans than ever qualify for and very much need legal assistance, your willingness to increase LSC’s funding is welcome and appreciated.

However, we are still at a time when more robust legal assistance funding is needed in this country. As the Legal Services Corporation turns forty, the program’s current level of funding, \$365 million, is just \$65 million more than LSC’s appropriation in 1980; adjusted for inflation, the \$300 million in 1980 would be over \$850 million today. The need for ample funding for legal services has never been stronger. Although LSC’s grantees work to serve as many low-income Americans as possible, limited resources force the programs to turn away more than half of the eligible individuals. In FY15, the number of people eligible for legal aid is expected to reach an all-time high: 67 million Americans, or nearly 30 percent of the population. The trend toward increasing poverty, and the growing complexity of legal problems faced by the poor, will result in increased demand for legal assistance as well.

LSC is the largest provider of civil legal assistance to low-income Americans. LSC grants fund legal aid programs in each of the fifty states, the District of Columbia, and Puerto Rico. The local legal aid programs help people at or below 125 percent of the federal poverty guidelines. LSC grantees assist veterans returning from war, domestic violence victims, seniors, those with disabilities, low-income military families, those struggling with housing matters like foreclosures

and evictions, people coping with the after-effects of natural disasters, and families dealing with child custody issues.

Legal assistance is necessary not only for the millions of low-income Americans struggling to keep their jobs, stay in their homes, and provide for their families, but also for the functioning of the U.S. court system. The Conference of Chief Justices has found that increasing numbers of individuals representing themselves have hindered the judicial process. LSC grantees reduce the number of self-represented litigants, helping the individuals with their legal matters and helping the courts function smoothly. While in many cases it is essential for a lawyer to be involved for a case to proceed smoothly, in some matters it is more efficient to help people to help themselves – to arm them with enough knowledge so they can handle a simple matter effectively on their own. LSC grantees provide guidance for those clients who represent themselves in court. Funding provided through LSC has allowed grantees across the country to create technology-based programs that aid litigants in obtaining the right forms and in navigating the judicial system. LSC funds assist not only low-income Americans, but also provide more efficiency in our court system.

Funding legal services is an important investment that yields long-term benefits for the economy and for government. State studies have demonstrated that legal aid can assist in increasing clients' employment, reduce government costs, and provide other funding streams for legal assistance. For example, in my home state of New York, the Task Force to Expand Civil Legal Services found that legal services could produce annual savings of almost \$1.2 million in shelter costs and nearly \$85 million saved from reducing instances of domestic violence.

LSC grantees' most frequent cases involve family law. Over 34 percent of the total caseloads involve assistance to low-income Americans with some type of family law issues. LSC grantees assist domestic violence victims, parents needing child custody help, family members seeking guardianship for children without parents, and others seeking family law counseling. Mr. Chairman, in your home state of Virginia, family law matters comprise 46 percent of the LSC grantees' total caseloads. LSC grantees around the country closed almost 47,000 domestic violence cases in 2012.

Military veterans and families also receive assistance from LSC grantees. Issues like child custody, employment, and homelessness often occur when veterans who served in combat return to civilian life. Over 1.6 million troops have served the U.S. in combat in Iraq and Afghanistan; as they transition back to civilian life, they face job and family issues stemming from their service. LSC grantees assist returning veterans reacclimating to life as civilians once their deployments end.

Housing matters account for the second-largest percentage of LSC grantees' total caseload (26 percent). This includes landlord-tenant disputes, prevention of foreclosures, renegotiation of home loans and mortgages, and assistance to renters whose landlords are undergoing foreclosures. In 2012, LSC grantees closed more than 200,000 housing cases.

LSC grantees also help with housing and other matters for those coping with the after-effects of natural disasters. Flood victims, hurricane evacuees, and others find themselves in need of legal

aid after a disaster. LSC grantees assist with identity verification, housing issues, family law matters, and insurance problems.

Oftentimes, those living in rural areas have difficulty obtaining needed legal assistance. LSC grantees are sometimes the only means by which low-income citizens living in more remote areas can receive legal aid. However, funding cuts in recent years have made outreach to rural areas more difficult and have resulted in several office closures. Kentucky had to close two offices last year, negatively affecting the poorest area of the state. Virginia also had to close a rural office that had served clients for 35 years. Other states have had to close offices as well, forcing clients to drive hundreds of miles for legal assistance.

At a time when more Americans than ever qualify for and need legal aid, strong federal funding for LSC is more critical than ever. Other sources of funding for legal services have declined in recent years. Revenue from Interest on Lawyers' Trust Accounts (IOLTA) has sharply declined over the past few years due to continuing low interest rates. Many state appropriations have been cut, and some states do not appropriate any funds for civil legal assistance. LSC dollars often provide a catalyst for funding from other sources, including private donors, state and local governments, and nonprofit organizations. Removing federal funding would thus prevent LSC grantees from receiving assistance from other sources of revenue.

Private lawyers join in a public-private partnership to provide legal assistance to the poor by providing thousands of hours of pro bono service each year in communities across the nation. However, LSC funding provides the infrastructure and framework through which most pro bono services are delivered. Without adequate funding for LSC that can be used to provide this framework, the justice gap would be further exacerbated. Chairman Wolf, your efforts to increase LSC's role in pro bono through the Pro Bono Innovation Fund will help to promote pro bono efforts further in providing legal assistance to low-income Americans. And, of course, we must be mindful that while pro bono can help with the growing legal needs in the country, pro bono is not an effective replacement for civil legal aid funding.

Funding legal services helps government reduce overall costs by assisting clients in need of legal help. In Virginia, there is an estimated return of \$5.27 for every \$1 invested in legal aid. Legal assistance in domestic violence cases helps prevent medical costs, law enforcement costs, and costs associated with helping survivors of domestic violence. LSC programs prevent long-term reliance on other government programs, many of which have been cut in recent years.

The ABA has long supported the effort to provide civil legal assistance to those in need, beginning with the formation of the Standing Committee on Legal Aid and Indigent Defendants in 1920. Supreme Court Justice Lewis F. Powell, the ABA President in 1964, called for expansion of legal aid services for the poor, and the ABA, along with many others, worked to assist in this effort, resulting in the creation of LSC in 1974. For the past forty years, the Association has advocated for the funding of LSC. Although the need for legal aid is still far greater than available funding, we recognize the budgetary constraints that your Committee faces. Therefore, we request that the Committee fund LSC at no less than \$430 million for FY15.

Written Testimony
Of
Brennan Center for Justice
House Appropriations Committee
Subcommittee on Commerce, Justice, Science
March 28, 2014

Chairman Wolf, Ranking Member Fattah, and distinguished members of the House Appropriations Subcommittee on Commerce, Justice and Science, thank you for the opportunity to submit written testimony before the committee to discuss fiscal year 2015 budget priorities. The testimony is offered to the Committee for use during its consideration of Department of Justice criminal justice funding.

The Brennan Center for Justice at New York University School of Law¹ is a nonpartisan law and policy institute that seeks to improve the national systems of democracy and justice. The Brennan Center for Justice was created in 1995 by the clerks and family of the late Supreme Court Justice William J. Brennan, Jr. to improve our systems of justice and democracy. The Justice Program at the Brennan Center is dedicated to ensuring a rational, effective, and fair justice system. Our priority initiative is to reduce mass incarceration by reducing the criminal justice system's current size and severity; while still protecting public safety.

The Department of Justice (DOJ) administers dozens of criminal justice grants, which total over \$1 billion each year. In 2012, the Community Oriented Policing Services and Violence Against Women Act grants received more than \$1.45 billion. Most notably, the Edward J. Byrne Memorial Justice Assistance Grant (Byrne JAG), the largest nationwide criminal justice grant program administered by DOJ, receives between \$300 million to \$500 million each year. It retains an enormous influence on criminal justice policies and priorities. JAG dollars reach across the entire criminal justice system. They reach all states, territories, and thousands of localities, mainly flowing to law enforcement. These funds support local police departments, drug courts, prosecutor and public defender offices, courts, and more. While important, the structure was created more than thirty years ago, based on criteria and priorities at a time of rising and seemingly out of control crime. Decades after its inception, the criminal justice system that JAG dollars were created to support has spiraled into one that now supports the world's largest population of incarcerated people and all of the inherent problems that come with this distinction.

It is time for a change. A better approach, termed "Success-Oriented Funding" would use the power of the purse to steer the criminal justice system toward the twin goals of reducing crime *and* reducing mass incarceration – goals research shows are not in conflict. The Brennan Center for Justice recently published a report highlighting a way to align fiscal and policy priorities.² Grounded in economic principles and built on discrete models in other policy areas, Success Oriented Funding ties government dollars as closely as possible to whether agencies or programs meet specific, measureable goals. These goals would drive toward what policymakers

¹ This letter does not represent the opinions of NYU School of Law.

² Chettiar, Inimai; Eisen, Lauren-Brooke, Fortier, Nicole; *Reforming Funding to Reduce Mass Incarceration*, Brennan Center for Justice, Nov. 2013.

https://www.brennancenter.org/sites/default/files/publications/REFORM_FUND_MASS_INCARC_web_0.pdf

and researchers increasingly see as a new, modern, and more effective justice system. The model imports private sector business principles and applies it to public dollars.

Economic theory indicates that actors provided with clear positive rewards will usually alter their behavior to match these incentives. Former Chairman of President George W. Bush's Council of Economic Advisors and Harvard University Professor N. Gregory Mankiw articulates this fundamental tenet in "Principles of Economics" — one of the most widely-used introductory economics textbooks. He defines the discipline in this way: "People respond to incentives. The rest is commentary."³ By setting clear goals for success or failure of government agencies and programs, Success-Oriented Funding would fund "success," achieving results-driven government. This cost-effective framework ensures that the government is getting a good return on its investment. Broad goals for funding recipients include reducing recidivism and crime, or reducing unnecessary prison sentences and incarceration. Grant-specific goals would vary depending on the agency or program funded. For example, grants for police could focus on reducing violent crime or diverting drug addicted arrestees to treatment.

Illinois has seen great success with its investment and support of the Adult Redeploy Illinois program, which diverts non-violent offenders from prison into more effective community-based services. Adult Redeploy Illinois provides financial incentives to local jurisdictions that design evidence-based services to supervise and treat non-violent offenders in the community instead of sending them to state prisons. Since 2011, Adult Redeploy Illinois sites have diverted more than 1,000 non-violent offenders. These sites spent an average of \$4,400 per program participant, compared to the annual per capita incarceration cost of \$21,500 in state fiscal year 2011. This represents more than \$18.5 million in potential corrections savings.⁴ By investing in programs like Adult Redeploy Illinois, Congress can make inroads in achieving better taxpayer accountability while using funding to improve criminal justice outcomes.

Earlier this month, President Obama introduced his FY 2015 Budget proposal for the Department of Justice, which requests \$27.4 billion for the Justice Department, of which \$173 million is set aside for targeted investments for criminal justice reform efforts. The budget also calls for an investment of \$173 million to support the Attorney General's *Smart on Crime* initiative, which is intended to promote fundamental reforms to the criminal justice system that will ensure the fair enforcement of federal laws, improve public safety, and reduce recidivism by successfully preparing inmates for their re-entry into society.

The President's budget provides a needed boost to the types of competitive, evidence-based grant programs that make better use of taxpayer dollars. His budget also improves the Byrne JAG program, by calling for an additional \$45 million to be funded through competitive grants that are conditioned on potential Byrne JAG program recipients making a good case for how they will use the money. The budget also creates a \$15 million incentive grant program, essentially bonus money for which states and localities can compete.

By increasing funding for competitive, evidence-based programs, the Administration is communicating its desire to move away from blindly funding legacy programs without strong

³N.Gregory Mankiw, *Principles of Economics* 7 (6th ed. 2012) (quoting Steven E. Landsburg, *The Armchair Economist* 3 (2012)).

⁴http://www.icjia.org/public/redeploy/pdf/articles/Adult_Redeploy_Illinois_media_stories_011714.pdf

records of success, and towards modern programs that work at reducing crime and incarceration and improving public safety. Members on both sides of the aisle also support criminal justice funding reform. House Judiciary Committee Chairman Robert W. Goodlatte (R-VA) stated “grant programs are not always designed or administered as efficiently as they should be – which means that less money is actually sent to help the boots on the ground.” Congressman Robert Scott (D-VA) expressed a similar concern about the need to ensure successful returns on our investments in grant dollars.

The Brennan Center supports these efforts because they move budgeting and funding toward Success-Oriented Funding by holding recipients of federal dollars accountable for their spending choices by implementing direct links between funding and proven results. This allows Congress to ensure the criminal justice system is producing results while not increasing unintended social costs. Success-Oriented funding principals improve the use of taxpayer money, promote accountability and reduce government waste.

Restructuring the way taxpayer dollars are sent to law enforcement and other criminal justice agencies nationwide can do a great deal to modernize our outdated criminal justice system. Funding these incentive based grants would mark an important shift in how the federal government spends dollars on criminal justice. Because these dollars travel across the country, changing incentives for these grants can create change that reverberates nationwide.

We encourage you to fully fund the Byrne Incentive grant program, the Byrne Innovation grant program, and the Byrne Competitive grant program.

Respectfully submitted,

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American Society of Plant Biologists

Cultivating a better future through plant biology research

Official Written Testimony in support of the National Science Foundation's Fiscal Year 2015 Budget

Submitted to the Subcommittee on Commerce, Justice and Science, and
 Related Agencies
 Committee on Appropriations
 United States House of Representatives
 March 20, 2014

On behalf of the American Society of Plant Biologists (ASPB), I submit this testimony for the official record to support the \$7.6 billion for the National Science Foundation (NSF) for fiscal year (FY) 2015. ASPB recognizes the difficult fiscal environment our nation faces, but we believe that sustained investments in scientific research will be a critical step toward economic recovery and continued global competitiveness for our nation.

ASPB would like to thank the Subcommittee for its consideration of this testimony and for its strong support for the research mission of NSF.

Our testimony will discuss:

- Plant biology research as a foundation for addressing food, fuel, environment, and health concerns;
- The rationale for robust funding for NSF to maintain a well-proportioned science portfolio with support for all core science disciplines, including biology; and
- The rationale for continued funding of NSF education and workforce development programs that provide support for the future scientific and technical expertise critical to America's competitiveness.

ASPB is an organization of some 4,500 professional plant biology researchers, educators, graduate students, and postdoctoral scientists with members across the nation and throughout the world. A strong voice for the global plant science community, our mission—achieved through work in the realms of research, education, and public policy—is to promote the growth and development of plant biology, to encourage and communicate research in plant biology, and to promote the interests and growth of plant scientists in general.

Food, Fuel, Environment, and Health: Plant Biology Research and America's Future

Plants are vital to our very existence. They harvest sunlight, converting it to chemical energy for food and feed; they take up carbon dioxide and produce oxygen; and they are the primary producers on which most life depends. Indeed, plant biology research is making many fundamental contributions in the areas of energy security and environmental stewardship; the continued and sustainable development of better foods, fabrics, and building materials; and in the understanding of biological principles that underpin improvements in the health and nutrition of all Americans.

In particular, plant biology is at the interface of numerous scientific breakthroughs. For example, with high throughput experimental approaches facilitating extraordinary syntheses of information that are NSF-supported, plant biologists are using computer science applications to make tremendous strides in our understanding of complex biological systems, ranging from single cells to entire ecosystems. Understanding how plants function ultimately will result in better and more productive crops, new sources of fuel, and the development of better medicines to treat diseases like cancer.

Despite the significant positive impact plants have on our nation's economy and in addressing some of our most urgent challenges, including food and energy security, federal investments in plant biology research are modest. Still scientists have maximized and leveraged this funding in order to understand the basic function and mechanisms of plants, providing a foundation for vital advances in practical applications in agriculture, health, energy, and the environment.

To address future societal challenges that might be mitigated through investments in plant biology research and to prioritize community research efforts, ASPB organized a two-phase Plant Science Research Summit held in September 2011 and January 2013. With funding from NSF, the U.S. Department of Agriculture, the Department of Energy, and the Howard Hughes Medical Institute, the Summit brought together representatives from across the full spectrum of plant science research to develop a community agenda document. Released in August 2013 as *Unleashing a Decade of Innovation in Plant Science: A Vision for 2015-2025* (plantsummit.files.wordpress.com/2013/07/plantsciencedecadalvision10-18-13.pdf), the report puts forth a ten-year consensus agenda to fill critical gaps in our understanding of plant biology in order to address the grand challenges we face. As a research community, our vision is to create plant systems that are flexible and adaptable to new and existing challenges by increasing the predictive and synthetic abilities of plant biology. In achieving these goals, the plant science research community will make significant contributions to:

- exploring, conserving and utilizing our natural resources;
- protecting, maintaining and improving crop productivity; and
- creating new plant-inspired industries.

ASPB expects to publish a report from the Plant Science Research Summit in spring 2013. This report will further detail the plant science community's priorities and the key initiatives needed to address the grand challenges facing the nation.

Robust Funding for the National Science Foundation

ASPB encourages proportional funding increases across all of the scientific disciplines NSF supports. As scientific research becomes increasingly interdisciplinary with permeable boundaries, a diverse portfolio at NSF is needed to maintain transformational research and innovation.

NSF funding for plant biology specifically enables the scientific community to address cross-cutting research questions that could ultimately solve grand challenges related to a sustainable food supply, energy security, and improved health and nutrition. This notion is reflected in the National Research Council's report *A New Biology for the 21st Century* and the President's Council of Advisors on Science and Technology's (PCAST's) recent report *Agricultural Preparedness and the United States Agricultural Research Enterprise* and it will be addressed comprehensively in the Plant Science Research Summit's report. Additionally, ASPB enthusiastically supports the PCAST report's recommendation that calls for increased funding for NSF for basic science related to the agricultural sciences.

The NSF Directorate for Biological Sciences (BIO) is a critical source of funding for scientific research, providing 62 percent of the federal support for non-medical basic life sciences research at U.S. academic institutions and beyond. BIO supports research ranging from the molecular and cellular levels to the organismal, ecosystem, and even biosphere levels. These investments continue to have significant pay offs, both in terms of the knowledge directly generated and in deepening collaborations and fostering innovation among communities of scientists.

The Biological Sciences Directorate's Plant Genome Research Program (PGRP) is an excellent example of a high impact program that has laid a strong scientific research foundation for understanding plant genomics as they relate to energy (biofuels), health (nutrition and functional foods), agriculture (impact of changing climates on agronomic ecosystems), and the environment (plants' roles as primary producers in ecosystems). ***ASPB asks that the PGRP be funded at the highest possible level and have sustained funding growth over multiple years to address 21st century challenges.*** Furthermore, in light of the need to create cyberinfrastructure across a wide range of scientific disciplines, ASPB supports efforts to homogenize metadata formats and enhance data sharing.

Without significant and increased support for BIO and the NSF as a whole, promising fundamental research discoveries will be delayed and vital collaborations around the edges of scientific disciplines will be postponed, thus limiting the ability to respond to the pressing scientific problems that exist today and the new challenges on the horizon. Addressing these scientific priorities also helps improve the competitive position of the United States in a global marketplace.

Continued Support for NSF Education and Workforce Development Programs

The National Science Foundation is a major source of funding for the education and training of the American scientific workforce and for understanding how educational innovations can be most effectively implemented. NSF's education portfolio impacts students at all levels, including K-12, undergraduate, graduate, and postgraduate, as well as the general public.

As NSF embarks upon a new effort to rethink and improve graduate education in the United States, ASPB is supportive of new ideas that will enhance student learning, training, retention, access, and recruitment. Furthermore, ***ASPB urges the Subcommittee to support expanding NSF's fellowship and career development programs—such as the Postdoctoral Research Fellowships in Biology, the Graduate Research Fellowship (GRF) and the Faculty Early Career Development (CAREER) programs—thereby providing continuity in funding opportunities for the country's most promising early career scientists. ASPB further encourages the NSF to develop “transition” awards that will support the most promising scientists in their transition from postdoctoral research to independent, tenure-track positions in America's universities.*** The NSF might model such awards after those the National Institutes of Health offers.

Furthermore, the nearly seven-year median for a life-science PhD in the United States contrasts with other nations where students specialize earlier, thus entering doctoral programs with more uniform and advanced scientific foundations. To focus more attention on new types of skills, such as private-sector experience and data-science training, NSF may wish to consider encouraging universities to tailor undergraduate curricula to allow committed students to enter PhD programs without needing a significant amount of textbook-style coursework. One way to do so would be to offer a seamless, seven-year curriculum that combines bachelor's and doctoral education, thereby making the career path more attractive and reducing costs to investigators, institutions, and funding bodies. NSF may wish to fund exploration and development of this kind of program or curriculum.

ASPB urges support for NSF to further develop programs aimed at increasing the diversity of the scientific workforce by leveraging professional scientific societies' commitment to provide a professional home for scientists throughout their education and careers and to help promote and sustain broad participation in the sciences. Discrete focused training and infrastructure support programs for Hispanic Serving Institutions, Historically Black Colleges and Universities, and Tribal Colleges and Universities remain vitally important, because they foster a scientific workforce that reflects the U.S. population.

ASPB urges support for education research that enhances our understanding of how educational innovations can be sustainably and most effectively implemented in a variety of settings. NSF programs such as Transforming Undergraduate Education in STEM, Discovery Research K–12, and Widening Implementation and Demonstration of Evidence-based Reforms (WIDER) provide opportunities to expand NSF's research and evaluation efforts to address scale-up and sustainability. Additionally, investigating and supporting effective approaches toward rolling out across the K-16 continuum the new vision for undergraduate biology education articulated in the 2010 Vision and Change report are particularly valuable. ***ASPB encourages continued support for education research programs within NSF's Education and Human Resources portfolio with a focus on understanding how previous investments in educational strategies can be made most effective.***

Grand research challenges will not be resolved in a year, an administration, or a generation, but will take continued attention and investment at federal research agencies, such as the National Science Foundation, over decades.



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March 31, 2014, via e-mail - cj.appropriations@mail.house.gov

The Honorable Frank Wolf, Chairman
 House Subcommittee on Appropriations
 Commerce-Justice-State-Science

RE: FUNDING FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

Dear Mr. Wolf:

As you start deliberations for the FY-15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY-13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible – as has been the case since the inception of the program – the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

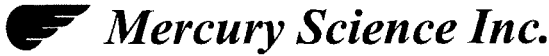
Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended, the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Sincerely,

W. BRAD STEUBE, Sheriff
 Manatee County, Florida

WBS/MM/clt

An Accredited Agency



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March 28, 2014

To: The House Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

Re: NOAA's National Ocean Service's Request to Close the Beaufort Laboratory

Dear Sir/Madam:

It has come to my attention that the NOAA Beaufort Laboratory (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research) may close due to budget cuts. As the president of Mercury Science Inc., a small business that has collaborated with the Beaufort lab since 2007, I am writing to request that it remain open in order to continue performing important and valuable services.

Mercury Science develops new products that save time and money in testing shellfish for harmful toxins. In 2010, Mercury Science was able to commercialize a rapid, low-cost assay to detect domoic acid in shellfish. This test would not have been possible without the knowledge and expertise of the scientists at NOAA Beaufort. We are currently collaborating on a test kit for Paralytic Shellfish Poisoning that is caused by consumption of saxitoxin contaminated shellfish. This is an important project as Alaska is currently suffering from a long and difficult algal bloom that affects both the public health and the economy of shellfish harvesters. In December of 2013, China placed a ban on importation of shellfish from Alaska and the Pacific Northwest due to the presence of saxitoxin in tested samples.

The scientists at NOAA Beaufort have consistently demonstrated commitment to research that is cost effective and beneficial to citizens, producers and regulatory agencies. I strongly request that the NOAA Beaufort lab continue to receive funding. Please feel free to contact me if you would like to discuss this issue further.

Sincerely,

Thomas Stewart, Ph.D.
President
Mercury Science Inc.

Sea Grant Association

Testimony for the Record
 Dr. LaDon Swann
 President, Sea Grant Association
 Before the
 Commerce-Justice-Science Appropriations Subcommittee
 Committee on Appropriations
 United States House of Representatives
 Washington, D.C.
 March 31, 2014

Chairman and Members of the Subcommittee, my name is LaDon Swann and I am the Director of the Alabama-Mississippi Sea Grant Consortium. I submit this testimony in my capacity as President of the Sea Grant Association (SGA). The SGA appreciates very much the steadfast support this Subcommittee has provided the National Sea Grant College Program over the years. As a result, Sea Grant has been able to deliver a number of quantifiable benefits to the residents of our ocean and coastal communities, which are documented below.

To continue to achieve a high rate of return on federal investment and to produce meaningful and quantifiable benefits to coastal residents in the future, the SGA recommends that the National Sea Grant College Program within NOAA be funded in FY 2015 at \$80 million. The request is consistent with the guidance provided in the FY 2012 conference report that said:

The Committee recognizes the important role the Sea Grant program plays in connecting coastal and Great Lakes communities with practical research and results, and encourages the growth of this program in future budget requests.

The National Sea Grant College Program addresses national priorities at the local level, by identifying citizens' needs in order to help guide state and national research agendas. Sea Grant funds the best competitive science at our nation's colleges and universities. The scientific discovery is effectively delivered through Sea Grant's robust extension, outreach and education programs to inform public and private decision-making in order to enhance the practical use and conservation of coastal, marine, and Great Lakes resources while also expanding economy and maintaining a sustainable environment.

The Administration's FY 2015 request for the National College Sea Grant Program is a total of \$63.4 million of which \$2 million is for marine aquaculture. This represents a total reduction from last year's appropriation of \$4 million (from \$67.4 million to \$63.4 million). After reviewing the detailed NOAA budget request sent to the Congress, it is clear that important changes to the Sea Grant program proposed by the Administration are obscured within the bottom line requested for the program.

The Sea Grant Association is deeply concerned with several of the proposed changes and believes they are inconsistent with NOAA's own strategic plan and reduces Sea Grant's

effectiveness at delivering important research, education and extension to its state, local, and regional partners.

First, within the budget request NOAA is proposing to terminate funding within Sea Grant for all state Sea Grant Program STEM activities such as K-12 teacher training, curricula development, and education; and Sea Grant/NMFS Graduate Fellowships. This proposal is part of the Administration's FY15 proposal to reorganize federal funding for STEM education, where a total of 31 STEM education programs at nine key R&D mission agencies (including NOAA, NSF, and NASA) will be terminated. **The Sea Grant Association strongly opposes the termination of the education programs both within Sea Grant and elsewhere in NOAA.**

It is important for mission agencies to help support the next generation of scientific and technical talent – much of which will be needed by these agencies in future years. Education (particularly STEM education) within the Sea Grant program is explicitly authorized in the legislation enacted by Congress to create the Sea Grant program. The Sea Grant statute recognizes and reinforces the linkage between research, education and extension by relying on the land-grant college and university model of research and education in service to the public. We urge the Subcommittee to reject these particular consolidation proposals and support the continuation of these programs within their current agencies.

Second, within the budget request for Sea Grant, the Administration is proposing a \$1 million reduction (from last year's level) in research funding available for competitively awarded projects under two specific focus areas: Healthy Coastal Ecosystems; and Resilient Coastal Communities and Economies. This proposed reduction is inconsistent with NOAA's stated priorities and strategic plan. Because of Sea Grant's prior accomplishment (detailed elsewhere in this testimony) **NOAA should be strengthening Sea Grant's role in coastal resiliency as a way to help make the Nation's ocean, coastal, and Great Lakes economies more productive.**

Third, within the budget request for Sea Grant, the Administration is proposing to reduce marine aquaculture research by \$2.5 million; down to a total of \$2 million. **This funding decrease is shortsighted and will reduce the number of external grants NOAA provides for decision support tools and technology transfer related to sustainable domestic marine aquaculture.** It will also reduce base-funded sustainable seafood industry research performed for NMFS.

The SGA's proposal for FY15 is \$80 million, which includes a specific enhancement of the Resilient Coastal Communities and Economies focus area. **Funding Sea Grant at \$80 million would also allow for the restoration of funding for STEM education, healthy coastal ecosystems, and marine aquaculture at levels at least equal to FY14 levels.**

The Return on Investment to the Nation through Sea Grant

The rationale behind the SGA's proposed growth for Sea Grant is related to the specific metrics developed that can be used to assess the value of this program. In FY 2013, Sea Grant returned the following quantifiable benefits to the Nation in return for the federal investment

- \$485M in direct economic benefits to the Nation, which represents a 7 to 1 return on the federal investment;

- 3,400 new businesses were created or retained, and more than 15,000 jobs were created or retained due to Sea Grant efforts;
- 600 communities across the nation have adopted more sustainable economic or environmental development practices and policies;
- Sea Grant expanded the Nation's workforce by supporting more than 900 undergraduate and more than 980 graduate students, resulting in 335 graduate or undergraduate degrees awarded; and
- Nearly \$100 million annually in additional public and private sector investments in Sea Grant supported activities are leveraged by the Subcommittee's annual appropriation for the Sea Grant program.

Approximately 95% of the federal funding provided to Sea Grant leaves Washington and goes primarily to state university-led programs where it is used to conduct research, carry out extension, and education programs, and deliver valuable services to states that participate in this program. In addition, federal funding through the Sea Grant program has a significant leveraging impact with every federal dollar invested attracting more than two additional dollars in matching funds and other public and private sector resources.

The Role of Sea Grant in Supporting The Nation's Coastal Communities – Increasing Coastal Resiliency

In addition to the annual positive scientific and economic impacts delivered by the National Sea Grant College Program summarized above, the relationships formed in coastal communities and with local stakeholders have proved extremely beneficial and supportive in disaster response. Beginning with hurricane Katrina and including the major disasters of the Deepwater Horizon oil spill and most recently hurricane Sandy, the Sea Grant network has provided substantial and much needed "boots-on-the-ground" assistance to affected communities. Following each of these disasters, it was often Sea Grant extension, outreach and education programs that brought the first response to these impacted communities.

Sea Grant works with Federal and State agencies to provide critical information following natural and man-made disasters. In the wake of these events, Sea Grant programs assist affected communities and states by facilitating community planning and capacity building by working with Department of Commerce Disaster Response Teams, Federal Emergency Management Agency (FEMA) mitigation assessment teams, State resource agencies for fishery and aquaculture impacts, local governments, industry groups, as well as others in addressing coastal impacts.

Immediately following every event, Sea Grant extension professionals and scientists were there, helping communities assess impacts to coastal businesses including commercial fishing, tourism, local marinas, and aquaculture businesses. Sea Grant also helped determine the extent of changes in coastal geology, barrier islands, beach erosion, and sand dune migration. Sea Grant capabilities allows the program to provide expertise and experience in assessing other environmental impacts such as marine debris and changes to water quality and communicating the results to affected coastal communities. Sea Grant adds to its ongoing efforts of providing coastal communities with technical assistance, helping to prepare community recovery plans, long-term resilience plans, and explaining the consequences of future mitigation choices ranging

from seawalls to green infrastructure. Sea Grant has expanded its role to include the development of tools and programs that address the long-term health impacts of disasters on coastal residents and help these communities to be better prepared for these disasters.

Concluding Thoughts

America must use its coastal resources wisely to increase the economic development and resilience of our coastal communities and U.S. working waterfronts while sustaining the health and productivity of the ecosystems on which they depend.

With the SGA's FY 2015 request of \$80 million for Sea Grant, the National Sea Grant College Program will be uniquely positioned to continue to make significant contributions to improve the lives and livelihoods of the Nation's coastal communities and economies. We hope the Subcommittee will be able to support this request and restore funding for Sea Grant STEM and other NOAA education activities, the NMFS Fellowship program, research in the key Sea Grant focus areas, and marine aquaculture.

Thank you for the opportunity to present these views. The SGA would be happy to answer questions or provide additional information to the Subcommittee.

Emily Susko

Contractor, ECS Federal, Inc., *in support of* NOAA Teacher at Sea Program
6815 Eastern Avenue, Apt. 1
Takoma Park, MD 20912

I am writing the following letter as a private citizen on behalf of myself during off-duty hours using only personal resources. I am not speaking for the federal government or any of its agencies in any capacity, nor do I represent the views of ECS Federal, Inc.

I am writing in regards to the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

Please remove the proposed closure of NOAA's Beaufort Laboratory from the NOS budget. The proposal is based on flawed information on the number of employees at the lab and on the state of the facility. The lab houses 108 employees from NMFS, NOS, and NERR, and since 2006, approximately \$14 million has been invested to keep the facility in good working order. Closing it now would represent a waste of federal investment.

The President's budget promises that the activities currently housed at the Beaufort Lab would be relocated elsewhere, but ignores the enormous value inherent in the location itself.

The federal government has maintained a fisheries lab in Beaufort for over a century. Over time, the area has become a nationally-known center for marine science. Today, Duke University's Marine Lab, North Carolina State University's Center for Marine Sciences and Technology (CMAST), University of North Carolina's Institute for Marine Science, and the North Carolina Division of Marine Fisheries join the NOAA Beaufort Lab either on Pivers Island in Beaufort or in adjacent Morehead City. The proximity of these institutes to one another allows for important partnering between NOAA and state and university researchers and students. Closing the NOAA lab would leave a conspicuous hole in the community, a disadvantage to both these partner institutions and to NOAA's ability to remain relevant and critical in the region.

Indeed, the Beaufort area is not only an important location for its marine science community, but for its connections to multiple historic fishing communities. The Beaufort lab's situation among the commercial and recreational fishing communities of the central and southern Atlantic coast provide opportunities for scientists and fishermen to live near one another and to work together, building important connections between two groups so deeply invested in understanding one of the nation's more enigmatic natural resources. As the Beaufort lab is the only NMFS lab between Sandy Hook, NJ, and Miami, FL, closing it would remove federal fisheries scientists from the Mid-Atlantic and South Atlantic fishing regions almost entirely.

During my graduate studies at Virginia Tech, I worked with stock assessment biologists stationed at the Beaufort Lab, and I had the privilege to spend time in Beaufort for a few weeks working with researchers in person. There, I learned about the history of the lab and of the local fisheries, including the menhaden plants that used to line the coast in that region. I toured the

new administrative building and learned about the recent shoreline restoration efforts on Pivers Island. I talked with locals about fishing and boating and tourism; I ate local seafood; I met many of the students at the Duke Marine Lab adjacent to NOAA. I also sailed with NOAA scientists on a research cruise as part of the Beaufort-based SEFIS, Southeast Fisheries Independent Survey, which is focused on sampling southeastern U.S. reefs. I have often thought that this would be a wonderful place to work and live were I given the opportunity, and I am truly distressed by the proposal to close it.

In conclusion, closure of the NOAA Beaufort Laboratory would be wasteful, damaging to a respected marine science community, disadvantageous to the Agency, and unfair to the fishing communities of the east coast for whom the lab represents a connection to NOAA science. Please remove the proposal.

Sincerely,

Emily Susko

March 30, 2014

Ginger Taylor
Concerned Citizen
No Institutional Affiliation

To Whom It May Concern:

I am writing regarding the proposed closure of the NOAA lab in Beaufort, NC. as referenced in NOAA's FY 15 Budget Summary (page 9, paragraph 3)

This operating lab serves NC as a vital place for current research, education and assistance when caring for and maintaining our natural resources.

Please keep the NOAA facility in Beaufort, NC open.

Thank you for your consideration.

Ginger Taylor
6205 Mallard Drive
Wilmington, NC 28403

March 29, 2014
 Bradford Teer
 Fisheries Biologist/NMFS Divemaster
 NOAA/NMFS/CCFHR
 JHT contractor
 Beaufort, NC

Dear Committee Members,

Acting as a private citizen during off work hours, I would like to submit testimony for the record.

With recent news of the Presidents FY15 budget proposal plan to close down the NOAA Beaufort Laboratory in Beaufort, NC. I believe this is not a feasible decision. To learn why, I would like the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies to consider the following testimony.

Issue presented in budget – Long term cost of maintaining the NOAA Beaufort Laboratory
 (NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Center for Coastal Fisheries and Habitat Research)

“To strengthen NOAA’s coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory...”

On this budget item, a NOAA spokesperson in Silver Spring was quoted saying: “this aging facility requires infrastructure repairs and improvements exceeding agency budget resources....”

Response – Urge proposed closure of NOAA’s Beaufort Laboratory be removed from the NOS budget.

Outdated and incorrect estimates of the condition of the NOAA Beaufort Laboratory were used in the analysis that led to the request to close this facility. An updated engineering report (2014) documents the condition of the facility is not structurally unsound. Additionally, there have been substantial improvements to the facility:

Multiple facilities upgrades include:

- 2006—Administration Building replaced (with NC NERRs)
- 2007—Bridge replaced – cost shared with Duke University
- 2008—Maintenance Building replaced
- 2009—Air conditioning/Air handler replacement and mold abatement
- 2009—Sample Storage/Chemical Storage/Haz-Mat buildings consolidated and replaced
- 2014—Seawall repair, electrical upgrade and State of NC funded storm water control

This proposed closure also did not factor in the 40 National Marine Fisheries Service staff or the 6 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co located at the facility. In total 108 staff and contractors will be directly affected by this closure.

NOAA should not close a facility that has such a large spatial importance for sampling the mid Atlantic region. There is no other lab that is in such a rich transition zone between northern and southern species. This was one of the main reasons the lab was built in this location and should

continue to operate here.

Other Impacts of the Beaufort Lab Closure -

- N.C. Coastal Reserve and National Estuarine Research Reserve staff are currently located at the NOAA Beaufort Lab which serves as the headquarters office for the program.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve as well as other surrounding marsh habitats and are able to provide professional perspectives that are valuable to research and management.

Request – The House Committee on Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies decline to endorse the recommendation to close the Beaufort Laboratory and request current and accurate information from the Beaufort Laboratory leadership on costs for maintaining the Laboratory.

Desired Outcomes

- NOAA's Beaufort Laboratory closure proposed in the 2015 President's Budget Request should not be included in the NOS budget.
- Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future.
- Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the NOAA Beaufort Laboratory.
- NOAA should provide a report and a timeline to Congress with a strategy to address these concerns.

SUMMARY

Outdated and inaccurate information has overstated the costs of maintaining the NOAA Beaufort Laboratory and was used in the analysis that led to the request to close this facility. The request

understated the number of staff housed at this facility, and did not include NMFS or NC NEERs employees. For over 100 years, the NOAA Beaufort lab has had a rich history of involvement in local, national, and international marine science issues. The laboratory has produced award winning science in Fisheries and is supporting federally mandated fisheries sampling for reef fish complex in the southeast. The programs that NEERs conducts at the facility are clear evidence of the Beaufort lab's commitment to education and outreach—closing the facility would disrupt and greatly increase the hardships of running a successful marine science educational program. The lab originated in Beaufort, NC because of its unique position, being at the edge of two biogeographic regions (i.e., Cape Hatteras), and at the cusp of expanding tropical regions. As we see a shift in southern species moving north, the laboratory's key location becomes even more important. It is critical that a NOAA lab of this strength continues in this location given the imperative to understanding fisheries management, coastal ecosystem management, climate impacts, coastal pollution, and harmful algal bloom issues in the mid and south Atlantic regions. Closing the Beaufort lab would leave a NMFS research gap from Sandy Hook, NJ to Miami, FL. I hope the committee carefully considers this testimony and the testimonies of others that voice similar opinions against the President's proposal to close the Beaufort NOAA Laboratory.

Thank you for your time and consideration,

Bradford Teer

Comment for the House Committee on Appropriations Subcommittee on Commerce, Justice,
Science and Related Agencies

Patricia A. Tester, PhD
Supervisory Oceanographer, NOAA (retired August 2013)

29 March 2014

I request the language in the 2015 President's Budget to close the Beaufort Laboratory (Center for Coastal Fisheries and Habitat Research, Centers for Coastal Ocean Science, National Ocean Service, NOAA) **be removed from the National Ocean Service budget.**

Further, Congress should inform NOAA that requests for closure of NOS laboratories will not be entertained in the future. Congress should direct NOAA to restore staffing, operational support and funding for science to full operational levels to utilize the capacity of the Beaufort NOAA Laboratory. NOAA should prove a report and timeline to Congress with a strategy to address these concerns.

Why, you might ask are these measures appropriate?

The request for closure of the Beaufort NOAA Laboratory was predicated on a misunderstanding of the condition of the facility. The information supporting the closure,

To strengthen NOAA's coastal science in the long run, NOAA proposes to reduce its physical footprint and fixed costs by closing the Beaufort, N.C. laboratory..."

is outdated and inaccurate. An engineering report (2014) documents the facility is **NOT structurally unsound or unsafe**. A series of facilities upgrades (more than \$14 million) have been completed since 2006 then the first of three building was replaced. Other infrastructural upgrades include the upgraded electrical and mechanical systems, replacement of the bridge leading to the laboratory and seawall repairs.

Issue 1 – While the National Ocean Service, NOAA is calling for the closure of the Beaufort NC laboratory, it is requesting an increase of \$4M to support **Ecological Forecasting of Harmful Algal Blooms (HAB), Hypoxia**, pathogens and **Species Distributions** (see budget summary, page 8, paragraph 1).

Response 1 – The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA has repeatedly recognized individual researchers, research teams and the Laboratory as a whole for the outstanding quality of the work performed there. The laboratory's excellent research capabilities and reputation also attract support,

both from other branches of NOAA and from other organizations which have recognized potential benefits of the Laboratory's studies, and long have augmented the support provided by NOAA. It is ironic that the budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has both well-established expertise and facilities required to address these very same issues. The NOAA Beaufort laboratory staff is already implementing the National Ocean Policy by utilizing an ecosystem-based approach to produce the best science and data while strengthening regional efforts through collaborations.

Issue 2 - The National Ocean Service, in initiating the closure request, understated the number of NOS staff and did not account for the more than 40 National Marine Fisheries Service staff or 7 staff members of the North Carolina National Estuarine Research Reserve (Rachel Carson) co-located at the facility.

Response 2 – In total, **100-110** staff will be directly affected by this closure.

The impacts of the closure for the 7 NC NERR staff are:

- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Issue 3 – The research capabilities of the NOAA Beaufort Laboratory must be maintained in its unique geographic location.

Response 3 – The NOAA Beaufort Laboratory is the only Federal Fisheries facility between Miami and Sandy Hook and was located in most diverse marine ecosystem in the U.S. The ecological communities are representative of the East and gulf coasts of the U.S. and there is no

other location where so many habitats can be accessed as easily or as cost-effectively. The laboratory, established in 1899, has served as a guiding star for other marine research facilities. Duke University purchased land from the Federal Government about 60 years ago to locate their marine laboratory immediately adjacent to the Beaufort Laboratory. In more recent years the State of North Carolina has located its Seafood Laboratory and its Marine Fisheries Division in the area. The University of North Carolina-Chapel Hill and North Carolina State University followed on to locate their marine teaching and research facilities in the Beaufort-Morehead area as well. The Beaufort Laboratory serves as the hub of local, regional and international collaborations. The regional marine sciences educational program will be greatly compromised without the collaboration of scientists from the Beaufort Laboratory.

Response 3a - The NOAA Beaufort Laboratory staff efforts have led to the successful management and recovery of important snapper and grouper fishery stocks.

The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States. The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.



SHERIFF BRIAN THOMAS
TELEPHONE (806) 379-2900

State of Texas



608 S. PIERCE
AMARILLO, TX 79101

The Honorable Barbara Mikulski

Chairman, Senate Subcommittee on Appropriations

Commerce-Justice-State-Science

CJS@appro.senate.gov

The Honorable Frank Wolf

Chairman, House Subcommittee on Appropriations

Commerce-Justice-State-Science

CJ.Approp@mail.house.gov

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens that committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

The SCAAP program is a true partnership between the federal government and local law enforcement community as it not only provides much needed resources to local and state law enforcement agencies, but it also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals that may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

Brian L. Thomas, Sheriff
Potter County, Amarillo TX

Sac and Fox Nation

920883 S. Hwy. 99 Bldg. A • Stroud, OK 74079

Principal Chief GEORGE THURMAN
Second Chief ORVENA (TWIGGY) GREGORY
Secretary MARY A. MCCORMICK
Treasurer CARLA REED
Committee Member STELLA NULLAKE



**WRITTEN TESTIMONY OF THE
 HONORABLE GEORGE L. THURMAN, PRINCIPAL CHIEF
 SAC AND FOX NATION
 SUBMITTED TO THE HOUSE SUBCOMMITTEE ON COMMERCE,
 JUSTICE, SCIENCE AND RELATED AGENCIES COMMITTEE ON
 APPROPRIATIONS ON THE FY 2015 BUDGET FOR OFFICE OF
 JUSTICE PROGRAMS, DEPARTMENT OF JUSTICE
 MARCH 31, 2014**

Chairman Wolf and distinguished Members of the Committee, I am George L. Thurman, Principal Chief of the Great Sac and Fox Nation. Thank you for accepting this written testimony which presents to you our Tribal priorities for funding programs with the Office of Justice Services, Department of Justice.

We understand the fiscal constraints of the country but feel that there is budget inequity for Tribal program funding which has been further impacted with the cuts we incurred due to the 2013 sequester. Tribes should not be unfairly targeted for reductions and rescissions and forced to bear the fiscal constraints of this country alone. A key intent of the Murray/Ryan budget deal was to soften the blow of the sequester for Indian Country but unfortunately that was not the case.

As you consider the 2015 Appropriations for the Office of Justice Programs, we ask that you exempt Tribes from any further sequestration.

- 1. FULLY FUND THE TRIBAL LAW AND ORDER ACT AS AUTHORIZED**
- 2. FULLY FUND VIOLENCE AGAINST WOMEN ACT**
- 3. TRIBAL GRANTS – UTILIZE DOJ APPROPRIATIONS AS BASE FUNDING WITH TRIBES SETTING OWN PRIORITIES**
- 4. TRIBAL SET-ASIDE FROM ALL DISCRETIONARY OFFICE OF JUSTICE PROGRAMS**

The Sac and Fox Nation also support the appropriations requests of the National Congress of American Indians.

About the Sac and Fox Nation

The Sac and Fox Nation is headquartered in Stroud, Oklahoma, and our Tribal Jurisdictional area covers Lincoln, Payne, and Pottawatomie Counties. Of the 4,000 enrolled Tribal members, 2,600 live in Oklahoma. We are proud to pay tribute to a Sac and Fox descendent and Great Native American, Jim Thorpe. One of the most revered Olympic athletes who has ever represented the United States; Mr. Thorpe won the pentathlon and decathlon in the 1912 Olympics.

Fully Fund Tribal Law and Order Act as Authorized

The Tribal Law and Order Act (TLOA) had three basic purposes:

1. Make Federal departments and agencies more accountable for serving Native peoples and land;
2. Provide greater freedom for Indian Tribes and nations to design and run their own justice systems; and,
3. Enhance cooperation among Tribal, Federal and State officials in key areas such as law enforcement, training, interoperability and access to criminal justice information

The Sac and Fox Nation operates a Juvenile Detention Center which provides services to 46 Tribes in Oklahoma, Kanas and Texas, as well as the State of Oklahoma. We are anxious to advance the opportunities that TLOA can offer to further expand and increase access to our facility. However, unless TLOA is fully funded, facilities such as ours will not be able to attain the full potential and help to guide children in the system towards a successful future.

The full potential of TLOA cannot be realized or implemented without sufficient resources for Tribal justice systems and ongoing coordination and consultation between Tribal governments and various Federal agencies. DOJ recognizes the importance of completing the circle when it issued the "Proposed Statement of Principles", in which is referenced that a stable funding at sufficient levels for essential Tribal justice functions is critical to the long-term growth of Tribal institutions.

Fully Fund Violence Against Women Act as Authorized

We applaud the work of Indian Country and Congress to successful get a comprehensive Violence Against Women Act reauthorized. Prior to this bill Native women were denied equal access to justice. Thank you for helping us to protect our mothers, daughters, sisters

Testimony of George L. Thurman, Principal Chief
FY 2015 Appropriations for Office of Justice Programs, DOJ

March 31, 2014
Page 3 of 3

and wives from jurisdictional gaps or safe havens for criminals. But without appropriations, this is an idle victory. We urge you to fully fund at the authorized amount.

Tribal Grants – Utilize DOJ Appropriations as Base Funding With Tribes Setting Own Priorities – Eliminate the competitive grant funding process and utilize Justice Department appropriations as base funding where Tribes and Tribal Courts themselves determine their own priorities.

Competitive funding for Tribal priorities is a no win situation that continues to pit Tribe against Tribes. One of the biggest issues with DOJ funding is that it is competitive. In order to obtain the funding – on behalf of their Tribal courts – Tribes must compete against each other based on DOJ's priorities and guidelines rather than identifying their own priorities to best serve their citizens at the local level.

Instead the approach should be to utilize DOJ appropriations as base funding so that Tribes are encouraged to determine their priorities. It appears that DOJ understands this concept inasmuch as it posed the idea of base funding in the form of a block grant during Tribal consultation on the Office of Violence Against Women (OVW). We propose that DOJ not merely propose this for OVW but consider this for appropriations across the board.

Tribal Set-Aside from Office of Justice Programs – Create a seven percent Tribal set-aside from all discretionary Office of Justice Programs program funding. Ensure that they are allocated as flexible base funding. Also, provide funding above the FY 2010 level for each formerly separate program area including Tribal courts, jail construction, legal assistance, juvenile delinquency prevention and substance abuse prevention.

The seven percent set-aside was cut in the passage of the FY 2012 Consolidated and Further Continuing Appropriations Act. As a result Tribal justice programs were cut across the board and continue to struggle to address the increasing need of these funds which were further impacted by the sequestration.

Again, thank you for this opportunity.

College of the Atlantic

world changing.

19 March 2012

Dear Sir/Madam,

I write to you in your position as chair of the Senate Appropriations Sub-Committee on Commerce, Justice, Science, and Other Related Agencies. I wish to express extreme concern regarding the recent budget proposed by NOAA in which funding for the John H. Prescott Marine Mammal Health and Stranding Response Program is entirely eliminated for fiscal year 2013, and presumably for future subsequent years. This action will eliminate ~\$4 million/year of much needed funding that currently supports marine mammal rescue and rehabilitation on U.S. coasts and surrounding sovereign waters.

I make these comments at several levels: first, as a marine mammal stranding respondent; second, as the Director of the Marine Mammal Stranding Response Program at College of the Atlantic, in Bar Harbor Maine, responsible for response for all marine mammals (and sea turtle) strandings from Rockland Maine north to the Canadian border; third, as a member of the Maine Strandings Consortium, a group that coordinates marine mammal stranding response in the state of Maine; fourth, as an inaugural steering committee member of the Northeast Regional Stranding Consortium(NERSC), a body that coordinates marine mammal stranding response in the U.S. Northeast Region (Maine to Virginia); and fifth, as the Scientific Chair for several NERSC meetings, and as a member for the Steering Committee for the National Stranding Conference in Shepherdstown, Virginia, 2009. I thus feel I am well qualified to speak on this issue.

Response to marine mammals in distress is a federal mandate as established in the Marine Mammal Protection Act of 1972 (16 USC Chapter 31) and as re-authorized by amendments to the Act in 1992, at which time the Marine Mammal Health and Stranding Response Program was established. In lay-speak, the people of this country require the Federal government to maintain and coordinate a marine mammal stranding response program.

This important advance in conservation legislation initially had little power. Other than establishing infrastructure within NOAA to coordinate response efforts, very few funds were made available for the actual mechanics of response. Rather, in a bizarre twist NOAA depended upon the philanthropy of third party institutions willing to raise funds to carry out the actual business of stranding response, even though technically it was NOAA's responsibility to perform the response. As a result of what was largely a volunteer effort by mostly non-profit institutions, comparatively few animals could be processed, and very few data were collected, thus greatly reducing the impact of the 1992 reauthorization.

In 2001, marine mammal stranding response groups nationwide applauded the federal government in the progressive act of creating the much needed John H. Prescott Marine Mammal Health and Stranding Response Grant Program. Finally, groups would be supported to act on behalf of NOAA to respond to marine mammal strandings, thus fulfilling the mandate given to NOAA. The success of the John H. Prescott Program was outstanding (see "A Decade of Support to Save and Conserve

Stranded Marine Mammals”, NOAA Report¹). The funding significantly leveraged other funds, created jobs, improved response efforts, maximized husbandry and animal welfare, educated and assisted the public, municipalities and states, and greatly advanced our understanding of the science and veterinary care of these animals. Finally, it standardized response efforts to a level of excellence unprecedented worldwide and provided an unparalleled source of data for scientists and generations to come. As a result of this funding, in my opinion the US is THE leading authority on marine mammal stranding response worldwide. I doubt very few in this international field would disagree with this claim.

The Prescott program has supported response in several ways. First, emergency funds are available for unusual events that are unpredictable—for example, the Deepwater Horizon oil-spill. But primarily it funds an annual competitive grant program, whereby individual institutions may apply for funding up to \$100,000. I have sat on the Technical Review Board that vets such grant applications many times, and I can personally attest to the incredible improvements that have occurred across the board with the implementation of this funding. As noted above, the majority of applicants are not-for-profit institutions. Their ability to raise funds on the scale that the Prescott Program provides is extremely limited. There is no doubt that the cessation of the Prescott program will at least prevent these organizations from responding to marine mammal strandings at the level currently required by NOAA, because ~80% of such funds typically go towards operational support. A more likely outcome is that many institutions will cease to be able to respond at all, thus firmly returning the mandate to assist marine mammals in distress back to remote, centralized NOAA regional offices and personnel that, with all due respect, have little local context nor the funding or staffing to support such operations. In more than a few cases there will have to be employment redundancies, and since most of the institutions that currently receive Prescott funding are entirely dependent upon it (based on my experience in the Technical Review meetings, approximately 70-80% of those that apply), entire institutions may be forced out of business.

The NOAA Regional Offices are staffed by many competent people, but they are completely inadequately supported to take on stranding response at the scale that cessation of Prescott funding would create (in Maine we know this from personal experience; when one of the three stranding response groups was forced to cease response efforts because of a lack of funding the impact was overwhelming, and the NOAA Regional Office was inundated with requests to respond). Stranding response would deteriorate drastically. The following will be felt immediately:

- Impacts to the institutions that are fulfilling NOAA's federal mandate on their behalf including redundancies, reorganization, and possible bankruptcy.
- Impacts to animal welfare (many animals will not receive a humane-based response because of a lack of resources).
- Impacts to human health. To mention three out of many:
 - Carcasses will have to be left on the beach to rot, thus posing a human health hazard.
 - The lack of a bio-monitoring system would leave coastal municipalities more susceptible to outbreaks of zoonotic diseases such as Influenza-A, Morbillivirus and Leptospirosis, and less aware of current ecosystem and ocean health issues such as harmful algal blooms, point-source pollution etc., all of which have a direct and serious impact on human health.
 - Non-monitored and non-regulated interactions between marine mammals and humans could harm both parties, including injuries and infections.

¹ available electronically at http://www.nmfs.noaa.gov/pr/pdfs/health/prescott_report_2001-10final.pdf

- Impacts to knowledge: the excellent longitudinal database built by the Prescott Grant Program, one of the priorities of the 1992 Re-Authorization of the Marine Mammal Protection Act, will cease to be current and will lose its efficacy.

There would also be indirect effects because of the attention that marine mammals draw in the public eye. To explain these indirect effects, I remind the committee of the situation of the North Atlantic Right Whale. Although the situation appears to be improving very slightly, this marine mammal species is highly endangered (< 500 animals left in the population), mostly because anthropogenic activities appear to be killing the animals as fast as they can breed. One of the sources of mortality is entanglement in fishing gear. As a consequence, in 2000 Mr. Max Strahan attempted to sue the federal government for \$100,000,000 on the basis that right whales, protected by two federal acts (the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973), were being taken non-sustainably by a federally-licensed activity (i.e., fishing). The suit was ultimately unsuccessful, but not before it cost the federal government millions of dollars in legal fees, re-allocation of research expenses and NOAA staff resources, and a significantly dented reputation. All of this occurred because of one marine mammal species, in a time and day before the social media movement. The potential today for one mishandled, or worse, unhandled stranding situation of a charismatic species to go viral on the internet is immense. Take, for example, the recent mass stranding of common dolphins on Cape Cod, Massachusetts. In this event hundreds of animals stranded and died on public shorefront. Without funding, the stranding response institutions that would normally control and respond to such an event of this magnitude either would not exist, or would be unable to respond to the event due to a lack of resources. NOAA would be practically helpless, yet the public would demand a response. Even though it is illegal, the public would try to intervene themselves (this is another service that stranding response institutions provide that prevents this from happening). Animals and untrained, unprotected would-be responders will be at minimum injured or infected, perhaps seriously.

(Of note, one result of the threat of the Strahan lawsuit was the federally-directed release of funding to support a fishing gear/whale disentanglement program. This nationally-based program also relies upon the Prescott Grant program for essential funds to carry out their work. Were NOAA granted their proposed budget that eliminates this funding, I strongly suspect we may see a re-emergence of Mr. Strahan and other conservation advocacy groups. I do not mention this as a threat, merely a statement of fact and as testament of how much public attention marine mammals can garner. The power of images taken from such events is clear, especially if the victims are presented as suffering from the wounds of an entangling net, or a spinning propeller—that is, suffering as a direct result of human activity, without an obvious human-based response to mitigate that situation that would otherwise have been provided by a stranding response institution. If nothing else, the ethical mandate here is clear).

I should note that to date, the Prescott funds have been extremely efficiently used, with a majority of funds appropriated each year expended. At the current level of funding (~\$4 million/year), only half of the applicants can be funded. This indicates clear need in the stranding response community. Actually, in my opinion, that price tag is extremely low as even with this level of funding much of the response effort is subsidized by passionate staff who are willing to volunteer their time or discount their services. It is the level of subsidy provided by stranding response institutions that makes this workable.

I understand and respect the President's mandate for a fiscally-responsible government. But this proposed action by NOAA to remove support for marine mammal stranding response in fy2013 is, in my opinion, short-sighted and irresponsible, and has potential impacts that far outweigh the

costs that would be saved. In my opinion it signals a return to a very unenlightened attitude towards conservation. NOAA would be inundated with response requests on a scale that they could not handle. The proposed move also tastes somewhat of ingratitude, given how much the individual response institutions have done for NOAA on their behalf, at a greatly subsidized rate.

I therefore request, under the Member Request process, that the Senate Appropriations Sub-Committee on Commerce, Justice, Science, and Other Related Agencies not support NOAA's current fy2013 proposed budget, and that they require that NOAA re-instates Prescott funding as an essential part of the services that NOAA provides through support of the stranding response groups that act on NOAA's behalf.

Yours sincerely,



Prof. Sean Todd, Ph.D.
Associate Dean for Graduate Studies,
Steven K. Katona Chair in Marine Sciences and
Director, Allied Whale,
Director, Marine Mammal Stranding Response Program
<stodd@coa.edu>

cc. Members and Chair of the Senate Appropriations Sub-Committee on Commerce, Justice,
Science, and Other Related Agencies
Members and Chair of the House Appropriations Sub-Committee on Commerce, Justice,
Science, and Other Related Agencies
Senator Susan Collins, Maine
Senator Olympia Snowe, Maine
Congressman Mike Michaud, Maine
Congresswoman Chellie Pingree



Paul J. VanBlarcum
Sheriff

OFFICE OF THE
SHERIFF
ULSTER COUNTY

Ulster County Law Enforcement Center
380 Boulevard, Kingston, NY 12401
www.co.ulster.ny.us/sheriff

Frank P. Faluotico, Jr.
Undersheriff

Michael O. Freer
Captain / Criminal Division

James R. Hanstein
Superintendent / Corrections Division

Area Code 845

Administration	340-3802
Criminal Division	338-3640
Corrections Division	340-3644
Civil Division	340-3643
Pistol Permits	340-3639
Crime Tips Hotline	340-3599
Fax (Administration)	331-2810
Fax (Criminal Division)	340-3718
Fax (Corrections/Records)	340-3468
Fax (Corrections/Booking)	340-3436
Fax (Civil Division)	334-8125
Fax (Detectives)	340-3588

March 28, 2014

The Honorable Barbara Mikulski
Chairman, Senate Subcommittee on Appropriations
Commerce-Justice-State-Science
CJS@appro.senate.gov

AND

The Honorable Frank Wolf
Chairman, House Subcommittee on Appropriations
Commerce-Justice-State-Science
CJ.Approp@mail.house.gov

Dear Chairmen Mikulski and Wolf:

As you start deliberations for the FY 15 Commerce-Justice State-Science Appropriations bill, I ask that you support ongoing efforts to restore critical funding to the State Criminal Alien Assistance Program (SCAAP). I urge you to provide at least \$255 million for SCAAP, which was the FY 13 funding level.

As you are well aware, SCAAP is an important reimbursement program that helps local and state law enforcement agencies partially offset the costs incurred for the incarceration of undocumented aliens who committed crimes in our communities. When SCAAP was created, the federal government was required to take custody of these inmates. However, when that is not possible - as has been the case since the inception of the program - the federal government must provide reimbursement to the locality to alleviate some of the costs incurred for housing these criminal aliens at the local level.

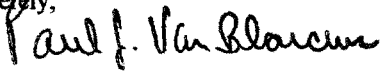
From 2007 through 2013, SCAAP reimbursed \$120,674 to the Ulster County Jail. This money was used to offset the cost of equipment, overtime wages and other jail expenses - thereby reducing the burden on Ulster County taxpayers. In a time of already austere government budgets, the loss of that income would be a hardship.

The SCAAP program is a true partnership between the federal government and local law enforcement community, as it not only provides much needed resources to local and state law enforcement agencies, but also provides important information to the Department of Justice and the Department of Homeland Security on foreign nationals who may pose a threat to our national security.

Without the necessary SCAAP funds, law enforcement agencies will be forced to cut other essential public safety functions. This is not a partisan issue, but one that affects every state. Unless the federal government is going to take immediate custody of these individuals as intended, the federal government must provide funding for SCAAP so that localities can continue to keep these criminal aliens off the streets. I urge you to take this responsibility seriously and appreciate your consideration of our concerns.

Thank you for your attention to this important request.

Sincerely,

A handwritten signature in black ink that reads "Paul J. VanBlarcum". The signature is written in a cursive style with a large, stylized "P" and "V".

Paul J. VanBlarcum
Sheriff

Brian Vandersea
 Vice President, Oral & Maxillofacial Surgery Associates
 169 Loblolly Dr.
 Pine Knoll Shores, NC 28512

House Committee on Appropriations
 Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

I want to express my strong opposition to President Obama's 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, NC, and urge the subcommittee to help reinstate funding for this essential resource. This laboratory is a vital part of the local, national, and international marine science community. It has partnerships with academic institutions such as NC State University, UNC-Chapel Hill, Duke University, East Carolina University and UNC-Wilmington. Without collaboration with the NOAA NOS/NMFS Beaufort Lab, each of the marine science programs at these institutions will suffer. Additionally, the laboratory's partnerships with economic development activities such as the NC Marine Science and Education Partnership, NC Biotechnology Center, and Marine Biotechnology Center of Innovation are important to the Morehead City/Beaufort/eastern North Carolina economies. This laboratory has served North Carolina and the nation for 115 years by executing top-notch, award winning, marine science.

The NOAA Beaufort Laboratory is situated in a prime location, between tropical and temperate waters, and provides the only federal access to one of the most diverse marine ecosystems in the United States. It is unthinkable that the U.S. government would give up on a facility that is located in such a strategic position on our national coastline.

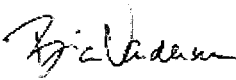
A prime example of research ongoing at the NOAA Beaufort Lab that is important to me is their ongoing work on harmful algal blooms. Having grown up in New Bern, NC, the Neuse River, which is literally in my parents' back yard, experiences periodic algal blooms and fish kills. After a fish kill, the NOAA Beaufort Lab tests water samples and dead fish to determine the cause(s) for these kills. This gives local residents ease of mind regarding the health of our river ecosystems and the seafood that we purchase from local commercial fishermen. In the early 1990's there was an extensive fish kill that was supposedly caused by the algae "*Pfiesteria*". This caused a lot of people to stay

off of and away from the local rivers and made them anxious about buying local seafood. Needless to say, this resulted in major economic damage to eastern North Carolina. The Beaufort Lab's tireless efforts led to a better understanding of the *Pfeisteria* lifecycle and helped ease the fears of the local communities affected by these types of fish kills. The Beaufort Lab is able to investigate problems of this nature world-wide. This gives me a sense of security in the seafood that I purchase and confidence in the water quality where my seafood originates.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at this unique location, and my family members and I are direct benefactors of all of their hard work. The science that is conducted at the Beaufort is of the highest quality and has won national and international recognition all being done on a limited budget for quite some time.

Why would the government want to close down a facility that produces high quality products at a minimal cost to the United States public? I urge you to please restore full funding for this important federal laboratory.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian A. Vandersea". The signature is fluid and cursive, with the first name "Brian" being more prominent.

Brian A. Vandersea, DDS

March 29, 2014

Julie Vecchio
M.S. Marine Biology
Fisheries Biologist
Secondary Science Teacher
Saint Stephen's Episcopal School
Bradenton, FL 34209

House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies

RE: FY 2015 budget proposal to close the NOAA NOS/NMFS Laboratory in Beaufort, NC

Dear Members of the Subcommittee,

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR). I want to express my strong opposition to the President's FY 2015 budget proposal to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, and urge the sub-committee to help reinstate funding for this essential resource. This lab is a vital part of the local, national, and international marine science community and provides important research and information for sustaining fisheries and coastal ecosystems of the Mid- and South-Atlantic, and to U.S territories in the Caribbean Sea.

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

My personal involvement with the NOAA Beaufort laboratory is with the Southeast Fishery-Independent Survey (SEFIS), which collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. Although I am currently a high school science teacher, I am intimately familiar with fisheries biology, fisheries stock assessment, and fisheries management, having completed a Master's of Science degree with an emphasis on fisheries. I had worked as a fisheries biologist for many years before turning to teaching. I currently collaborate with the SEFIS group on a number of projects, including having created a high school science lab where students become the scientist, utilizing SEFIS videos. I have seen first-hand the impact of understanding and personal engagement on stake-holders and constituents, including the next generation. These personal connections within the community enable fisheries management to take place at all. Fisheries laws are almost unenforceable without the buy-in of stakeholders and participants. This buy-in only comes from trust built between the fisheries researchers and the fishers themselves. If the SEFIS staff was forced to move out of their survey region, ties with the

fishing industry and the marine science community would be effectively severed, resulting in distrust, disinterest, and ultimately disregard for regulations. In the world of fisheries research and management, trust and understanding are the only way to engender effective management strategies.

The NOAA Beaufort Laboratory is a prime location and provides the only federal access to the most diverse marine ecosystem in the United States. The communities of marine and estuarine animals and plants found here represent a mixture seen nowhere else in the U.S. They are representative of the ecology found throughout the entire Atlantic and Gulf of Mexico coasts of the U.S. They include economically and recreationally important species from the North Atlantic such as striped bass, alongside species found throughout the Gulf of Mexico coast such as red drum, red snapper, and grouper. There is no other location where these fishing, research, and recreational opportunities can be accessed as easily or as cheaply.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well-known scientists. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab's presence, including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ and Miami, FL.

In conclusion, the NOAA NOS/NMFS Laboratory in Beaufort, North Carolina is home to critical research that can only be conducted at this unique location. Moreover, it would be counterproductive to close this lab when it clearly functions as an integral part of both the research and local communities, providing a bridge between citizens, scientists, and the government. I therefore urge you to please restore funding for the important federal laboratory.

Sincerely,

Julie Vecchio
M.S. Marine Biology
Fisheries Biologist
Secondary Science Teacher
Saint Stephen's Episcopal School
Bradenton, FL 34209

**Written Testimony of
David Vogan, Ph.D.
President, American Mathematical Society
Professor of Mathematics, MIT
On
FY 2015 Appropriations for the National Science Foundation
For
The House Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
Congressman Frank R. Wolf, Chair
Congressman Chaka Fattah, Ranking Member**

Chairman Wolf, Ranking Member Fattah, and members of the committee: I am David Vogan, President of the American Mathematical Society (AMS) and Professor of Mathematics at Massachusetts Institute of Technology. The AMS is a professional organization of about 30,000 mathematicians. On behalf of the AMS, I ask the Committee to consider a FY 2015 budget of at least \$7.5 billion for the National Science Foundation (NSF), a little less than the (inflation-adjusted) FY 2010 budget.

What has NSF done for the country that that merits level funding in a time of reducing budgets? One example is “public key cryptography,” which protects your bank account every time you use an ATM. The mathematical ideas involved begin with the German mathematician Carl Friedrich Gauss in the eighteenth century. The cryptographic applications were first made by Ron Rivest, Adi Shamir, and Leonard Adleman at MIT in the 1970s, working with support from the National Science Foundation (as well as the Office of Naval Research).

Medical CT scanners are built using mathematics done in 1917 by the Austrian mathematician Johann Radon. Nothing about Radon’s work appeared at the time to have value for medicine. His ideas were made into a crude imaging machine in 1963 by the physicist Allan Cormack at Tufts University in Medford, supported by funding from the Atomic Energy Commission. In 1971, the English industrial engineer Godfrey

Hounsfield designed the first machine that could produce the “slice” medical images with which we are all now familiar. Advances in medical imaging technology since that time have been informed constantly by mathematical work descended from what Radon did almost a hundred years ago. At MIT I have had the privilege for almost forty years of watching the work of Professor Sigurdur Helgason on those ideas; his research was supported for decades by the NSF.

There are similar stories to tell about the mathematics behind the Google search engine, commercial aircraft design, and Pixar movies; about the epidemiology of HIV and the statistics of medical research trials. I can’t tell you—nobody can tell you—exactly which NSF grants today will change your children’s lives, but I can say for certain that some of them will.

Let me conclude by saying a little bit about what it’s been like to work at MIT for forty years, in a world supported strongly and consistently by NSF. My graduate education was funded by NSF. I was taught by scientists and mathematicians whose research was funded by NSF. The ways of thinking needed for that research informed their graduate classes and their freshman classes. “Teacher” and “researcher” weren’t separate for them. Like breathing and eating, they were just two aspects of their identities, and neither one could ever be suspended. Those whose ideas never won prizes, or founded companies, still inspired students year after year. Some of those *students* won prizes, and founded companies.

Now I’m the one talking to the graduate students and the freshmen, trying to pass along some part of the love for understanding that I received from those teacher-researchers. My work is what NSF supports.

I ask that the Committee strongly consider providing an FY 2015 NSF budget of at least \$7.5 billion. Thank you for considering this request.

Carrie Waterman

I am writing to specifically discuss the proposed closure of the NOAA Beaufort Laboratory located in Beaufort, North Carolina. The lab is part of the Department of Commerce, National Oceanic and Atmospheric Administration and houses employees of the National Marine Fisheries Service (NMFS), National Ocean Service (NOS), and National Estuarine Research Reserve (NERR).

I urge the proposed closure of NOAA's Beaufort Laboratory be removed from the NOS budget. Currently, the lab houses 108 employees from NMFS, NOS, and NERR. The costs associated with upkeep and maintenance of the lab were inaccurate and outdated in the NOAA explanation of budgetary items. There were mistakes in the number of employees at the facility and incorrect calculations used to detail the budget item. In the past several years, several activities have been completed to keep the facility in good working condition including the replacement of the administration building and maintenance building, replacement of the bridge to the facility, seawall repair, improvements to the air conditioning, and other improvements, which totaled approximately \$14 million. Finally, an updated engineering report (2014) documents that the facility is NOT structurally unsound.

Closing the Beaufort Lab would be a tragedy. The Beaufort Lab is a stalwart of fisheries and oceanic science that has produced many well known scientists. The Beaufort Lab has a good reputation for advancing science in population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; pathogens; and snapper and grouper species. NOAA has repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of scientific work completed. Several of the area fisheries labs have located in Beaufort due to the NOAA lab including Duke Marine Lab, North Carolina Division of Marine Fisheries, CMAST, and the Institute of Marine Science. The NOAA Beaufort Laboratory is the center of productive fisheries science informing fisheries management for the Atlantic and Gulf coasts and is currently the only NMFS lab between Sandy Hook, NJ, and Miami, FL.

Specific items of note from each line office include:

NMFS:

Stock Assessment Science:

- The NOAA Beaufort Laboratory provides the stock assessment science that determines how many fish can be caught in the southeast United States.

The stock assessment science of the NOAA Beaufort Laboratory focuses on marine fish populations that are ecologically and economically vital to the region and nation, including snapper-grouper and pelagic species managed by the South Atlantic Fishery Management Council, Atlantic menhaden managed by the Atlantic States Marine Fisheries Commission, and Gulf menhaden managed by the Gulf States Marine Fisheries Commission. Commercial landings from the South Atlantic have been valued at \$176.5 million, supporting a centuries-old cultural way of life, and saltwater recreational fishing in this region tops the nation for its economic

impact on sales and jobs (East FL and NC generate \$5.3 billion and 47,000 jobs). Atlantic menhaden support the largest fishery on the U.S. east coast, and Gulf menhaden support the largest fishery in the Gulf of Mexico, with a combined value of \$127.7 million.

Fishery-Independent Surveys:

- Fishery-independent surveys collect data on fish populations for stock assessments and research, using standardized sampling gears and methodologies.

The Southeast Fishery-Independent Survey (SEFIS), run out of the NOAA Beaufort lab, collects annual information on the abundance, distribution, sizes, and ages of economically-important reef fish species like groupers and snappers on the U.S. East Coast between North Carolina and Florida. Using fish traps and underwater video, SEFIS determines whether reef fish species are increasing or decreasing in abundance so fish stocks can be managed with much greater certainty. The SEFIS staff has developed a close working relationship with fishermen in the Carolinas due to their co location in Beaufort, NC. NOAA's Beaufort Lab is ideally situated, centered in the middle of substantial commercial and recreational fishing industries and a thriving marine science community. If the SEFIS staff was forced to move out of their survey region, ties with the fishing industry and the marine science community would be effectively severed, ultimately resulting in a significant disconnect between the National Marine Fisheries Service and the communities to which they serve.

NERR:

Impacts of Closure to the Reserve-Strategic Location and Facility for the Reserve:

- N.C. Coastal Reserve and National Estuarine Research Reserve staff (7) are currently located at the NOAA Beaufort Lab, which serves as the headquarters office for the program.
- In 2002, Congress provided NOAA with "... \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve." (Public Law 107-77, See S.Rept. 107-42, p. 106-108.) \$1.32 million was invested in NOAA (\$1.28 million) and state funds (\$42,046) for the construction of a joint building at the NOAA Beaufort Lab to serve the Reserve's mission.
- The joint building was completed in 2007 and was constructed specifically with the Reserve's education programs in mind: the auditorium regularly hosts coastal training program workshops and the teaching classroom hosts school groups, teacher workshops, field trips, and lectures to support K-12 Estuarine Education Program activities.
- The NOAA Beaufort Lab is a 5-minute boat ride from the Rachel Carson component of the Reserve; this close proximity is essential for conducting Reserve activities efficiently to conduct mission-critical programming including educational programs, water quality and habitat monitoring and research programs, and stewardship of the site including species monitoring, debris clean-ups, feral horse management, and access point maintenance.

Reserve Activities at the NOAA Beaufort Lab, 2008-2013:

Education*K-12 field trips*

- 177 educational programs
- 4947 participants

Teacher workshops

- 28 teacher workshops
- 412 participants

Summer camps

- 109 camp sessions
- 921 participants

Summer public field trips

- 96 field trips
- 1123 participants

Stewardship*Volunteer service at the Rachel Carson Reserve*

- 1170 volunteers
- 2873 volunteer hours

Site management

- The NOAA Beaufort Lab provides an ideal base from which to manage the Rachel Carson Reserve due to its close proximity to the Reserve site, location on calm inland waters, and boat launching facilities. Additionally, many NOAA staff conduct or have conducted research at the Rachel Carson Reserve and are able to provide professional perspectives that are valuable to Reserve research and management.

Research*Research permits*

- 31 research permits issued for research conducted at the Rachel Carson Reserve

Water quality monitoring

- Water quality inventory and monitoring stations at Middle Marsh and Shackleford Banks, in partnership with the National Park Service

Coastal Training Program*Coastal Training Program workshops*

- 31 workshops
- 1076 participants

NOS:

NOAA's HAB program was initiated at the Beaufort Laboratory from the work conducted in NC in 1987 during the "red tide" that affected the central coast for more than six months. The Beaufort Lab continues to provide essential research and field data that inform Ecological Forecasting of HABs in Alaska, North Carolina, Florida, Guantanamo Bay, Cuba, Bay of Fundy, Gulf of Maine, Gulf of Mexico, and the Caribbean. Additionally, Beaufort Laboratory staff were

recognized for conducting award winning science in elucidating the life history of *Pfiesteria*, a HAB species that inhabits estuaries and river systems up and down the eastern seaboard. The threat of *Pfiesteria* caused economic damages of ~ \$35M a month to the seafood industry following publicity of local fish kills. Beaufort laboratory staff provided expertise and knowledge to local and state resource managers and University partners to educate the public about the real facts concerning *Pfiesteria* and the safety of their seafood. Beaufort staff have continued to provide their expertise and knowledge to the NC River Keeper Alliance and NC Department of Natural Resources, Division of Water Quality when fish kill events have occurred in local estuaries. This has helped to alleviate public anxiety regarding seafood safety.

In conclusion, closure of the NOAA Beaufort Laboratory would be a poor choice scientifically, economically, and would leave a large part of the east coast without the science that they deserve. The numbers used to estimate the costs of maintaining the facility in good working order were incorrectly estimated and inaccurate numbers of current employees were provided for the budget. In addition, the federal government has invested in this laboratory over the long-term, and to close it now would be a gross misuse of government resources.

Jennifer Weaver

Coastal Ecologist/GIS Analyst

Research Planning, Inc

Columbia, South Carolina

Dear members of the house committee on appropriations,

I am writing to express my opposition to the proposal in the 2015 President's Budget to close the NOAA Beaufort Laboratory located in Beaufort, North Carolina. I sincerely urge the committee to take a closer look at the benefits provided by this lab, and the information on which this decision is based, as I'm sure you will find that closing the lab will not result in the savings that have been projected by the committee. Though I am quite frequently a contractor on NOAA-funded projects, I work for a private consulting firm, and am a private citizen writing this letter on my own time. The views expressed here are my own and do not represent my company or clients.

The Beaufort Lab is a stalwart of fisheries and oceanic science, with an outstanding national and international reputation for advancing science in numerous areas: population dynamics and stock assessments; Gulf and Atlantic menhaden biology, movement, and assessments; harmful algal blooms; hypoxia; sea grass; pathogens; and snapper and grouper monitoring and ecology. NOAA and the President have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for its outstanding quality of scientific work. A major role in my current position involves working closely with scientists in NOAA's National Ocean Service (NOS) to respond to oil spills and other natural disasters. We rely on the ecological knowledge and expertise made available to us by NOAA facilities such as the Beaufort Lab to aid in planning, response and restoration to these events. Since I started my position in 2011, I have incorporated research generated by the Beaufort lab relating to habitat restoration, the distribution and abundance of commercially important coastal and estuarine species, and identification of sensitive areas for fisheries resources in my work to insure adequate protection of these resources from oil and chemical spills.

There are a few reasons why the location of the Beaufort facility is critical to its mission. First, the Beaufort NOAA facility is an integral part of the local marine science community, which also includes the NC division of marine fisheries headquarters, and marine labs representing Duke University, the University of North Carolina, and North Carolina State University. I spent my formative early professional years in Beaufort, completing a master's degree at the Duke Marine Lab and working afterwards with North Carolina Division of Marine Fisheries and North Carolina State University's CMAST (all in close proximity to the NOAA lab). The collaborative atmosphere created by the density and breadth of research in the area fosters collaborative research opportunities that would be harder to create if the lab were in a different location, and creates an environment which exposes students and researchers to a much broader community of colleagues. This enhances the academic opportunities to students, many of whom go on to work for NOAA in a variety of roles. In my own career, the education and exposure to federal research

that I gained while being part of this community has certainly helped me to be more effective in my current position. I know that many of my colleagues have had the same experience.

In addition to being an integral part of the marine science community, Beaufort's location along the east coast is ecologically significant. The facility was located in Beaufort because it is a prime location where northern and southern marine ecological communities intersect, and as such this lab provides the only federal access to the most diverse marine ecosystem in the United States. There is no other location where these opportunities can be accessed as easily or as cheaply. It is the only NMFS facility on the Atlantic coast between Sandy Hook, NJ and Miami, FL, a stretch of over 1200 miles of coastline. It is difficult for the agency to claim they are interested in conserving the marine resources of the southeast with such a large spatial gap in representation, especially compared to five NMFS research facilities in the Gulf of Mexico and another five in the northeast. In addition, the facility houses the headquarters of the Rachel Carson National Estuarine Research Reserve (NERR). Relocating this facility would decrease the research and educational opportunities presented by the NERR and reduce the opportunity for federal access to this important ecosystem.

In addition to underestimating the benefits provided by the top-notch research conducted at the lab, the proposal to close the lab is based on inaccurate and outdated information that overstated the costs of maintaining the facility. Currently, the lab houses 108 employees from NOS, NMFS, and NERRS. The NOS initiated the proposed closure, but the request understated the number of NOS employees and did not account at all for employees from NMFS or NERRS. In effect, this mistake excluded more than half the staff of the lab. Furthermore, the request was based on estimated costs for the lab's upkeep and maintenance that were in error. Since 2006, several activities have been completed to keep the facility in good working condition, including replacement of the administration building, replacement of the maintenance building, replacement of the chemical storage building, replacement of the bridge to the facility, repair of the seawall, and other improvements (air conditioning, electrical, storm water runoff), which totaled approximately \$14 million. In addition, the lab contributes to research programs that are slated for budgetary increase elsewhere in the NOS budget, including the \$4 million to support ecological forecasting of harmful algal blooms (HAB), hypoxia, pathogens and species distributions. Considering the recent investments in infrastructure and demand for budgetary increases to programs that the lab actively contributes to, closing the lab now would represent a conspicuous waste of tax-payers' money. Finally, contrary to previous claims, an updated engineering report (2014) documents that the facility is NOT structurally unsound. Based on mistakes both in the number of staff at the facility and in the costs associated with its upkeep, the budgetary calculations used to justify the proposed closure were fundamentally flawed.

The decision to close the Beaufort facility represents a narrow-minded approach to a temporary funding concern that is dwarfed in comparison by the potential damage done to the research conducted on the marine resources throughout the southeast. The laboratory in Beaufort has been operating continually since 1899; Congress owes it to our country to make sure the high-quality work done here continues on for the next 115 years to ensure the continued sustainability of coastal marine resources.

Sincerely,



Testimony of
Kasey White
Director for Geoscience Policy
for the
Geological Society of America
Regarding the
National Science Foundation
and
National Aeronautics and Space Administration
FY 2015 Appropriation
to the
U.S. House of Representatives
Committee on Appropriations
Subcommittee on Commerce, Science, Justice, and Related Agencies
March 31, 2014

Summary

The Geological Society of America (GSA) supports strong and sustained investments in earth science research and education at the National Science Foundation (NSF) and National Aeronautics and Space Administration (NASA). We believe investment in these agencies is necessary for America's future economic and science and technology leadership, both through discoveries that are made and the talent developed through their programs. In addition, this research addresses such critical societal issues as energy and mineral resources, water availability and quality, climate change, waste management, and natural hazards. The United States faces a looming shortage of qualified workers in these areas that are critical for national security. We are very concerned that cuts in earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages and inhibit potential economic growth. GSA urges Congress to provide the National Science Foundation at least \$7.5 billion in fiscal year 2015.

The Geological Society of America, founded in 1888, is a scientific society with over 26,000 members from academia, government, and industry in all 50 states and more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind.

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As the National Science Board's recent *2014 Science & Engineering Indicators* reports, America's share of the world's R&D fell from 37 percent to 30 percent from 2001 and 2012. As other nations have been increasing their support for long-term, high-risk research, we have been allowing ours to stagnate or decline. We must reverse that trend and tackle our mounting innovation deficit if we want to retain our global economic leadership.

National Science Foundation

The Geological Society of America (GSA) urges Congress to provide the National Science Foundation (NSF) at least \$7.5 billion in fiscal year 2015. GSA greatly appreciates your efforts to increase the NSF budget in recent years. Although NSF was able to regain some of its loss from sequestration in FY14, GSA remains concerned about the impact of flat and declining research budgets on our nation's future innovations and innovators. We feel that allowing NSF's budget to catch up with research inflation costs over the past few years is the first step to putting NSF back on the path necessary to maintain and regain America's future economic and science and technology leadership. We are concerned about the cuts to the Research and Related Activities Account and flat funding (0.1% increase) in geoscience research in the request, but appreciate that \$552 million was proposed to allow growth in the agency in the Opportunity, Growth, and Security Initiative.

The Earth sciences are critical components of the overall science and technology enterprise and NSF investment and should be increased. NSF's Directorate for Geosciences supports approximately 65 percent of all basic university research in the geosciences: the largest federal support for Earth science research essential for developing policies regarding land, mineral, energy, public safety and water resources at all levels of government. This Directorate regularly receives a large number of exciting research proposals that are highly rated for both their scientific merit and their broader impacts; the funding rate for research grants dropped to 23 percent last year, leaving many meritorious projects unfunded.

Increased investments in NSF's earth science portfolio are necessary to address such issues as natural hazards, energy, water resources, climate change, and education. Specific needs include:

- Natural hazards remain a major cause of fatalities and economic losses worldwide. Several areas in the United States are vulnerable to damages from earthquakes, tsunamis, volcanoes, and landslides – as evidenced by the recent landslide in Washington. NSF research that improves our understanding of these geologic hazards will allow for better planning and mitigation in these areas that will reduce future losses. We urge Congress to support NSF investments in fundamental earth science research that underpin basic understanding and innovations in natural hazards monitoring and warning systems.
- Mineral resources are essential to modern civilization, and a thorough understanding of their distribution, consequences of their use, and the potential effects of mineral supply disruption is important for sound public policy. The Division of Earth Sciences supports proposals for research geared toward improving the understanding of the structure, composition, and evolution of the Earth and the processes that govern the formation and behavior of the Earth's materials. This research contributes to a better understanding of the natural distribution of mineral and energy resources for future exploration. In

particular, GSA encourages support for research on critical minerals, for which our nation is dependent upon foreign sources.

- The devastating droughts in California highlight our dependence on water. NSF's research addresses major gaps in our understanding of water availability, quality, and dynamics, and the impact of both a changing and variable climate, and human activity, on the water system. Increased public investment is needed to improve the scientific understanding of water resources, including improved representation of geological, biological, and ecological systems, for informed decisionmaking.
- Forecasting the outcomes of human interactions with Earth's natural systems, including climate change, is limited by an incomplete understanding of geologic and environmental processes. Improved understanding of these processes in Earth's deep-time history can increase confidence in the ability to predict future states and enhance the prospects for mitigating or reversing adverse impacts to the planet and its inhabitants.

National Aeronautics and Space Administration

GSA supports earth science and planetary exploration research at NASA and is concerned about cuts in the FY15 request, although increases are proposed in the Opportunity, Growth, and Security Initiative. This research is important to understand the evolution of Earth; to deepen and expand human understanding of our place in the universe; to reinforce science, technology, engineering and math (STEM) education and effective training of the next generation of scientists; to increase U.S. competitiveness in science and technology development; and to enhance the quality of life through technological innovation. In addition, the discoveries and technologies of these programs form the basis of many industries and partnerships that drive economic growth.

Planetary missions at NASA are designed to collect data to better understand the history and workings of the entire solar system, to gain insight into the formation and evolution of Earth and the other planets, to understand how life began on Earth, and to determine whether extraterrestrial habitable environments and life forms exist (or ever did exist) elsewhere in the solar system or beyond. To support these missions, planetary scientists engage in both terrestrial field studies and Earth observation to examine geologic features and processes that are common on other planets, such as impact structures, volcanic constructs, tectonic structures, and glacial and fluvial deposits and landforms. Geochemical studies include investigations of extraterrestrial materials now on Earth, including lunar samples, tens of thousands of meteorites, cosmic dust particles, and, most recently, particles returned from comets and asteroids.

Exploration of other planets in the solar system requires major national and international initiatives, significant funding levels, and long timelines for mission planning and collaborative research. For scientists, the funding cycle is much shorter than typical mission cycles, and in particular, graduate student and career-development timelines are much shorter than mission timeframes. Therefore, the growth and continued development of a robust workforce capable of conducting complex space missions and analyzing the scientific data returned from such missions does not depend on individual missions as much as it depends upon a consistent, sustained program that educates and develops planetary scientists.

GSA supports NASA earth observing systems, including Landsat, and their research into our planet. By providing adequate resources to maintain current and develop next-generation satellites, the nation will continue to have access to data that is used by diverse stakeholders ranging from farmers to water managers to make critical decisions.

Support Needed to Educate Future Innovations and Innovators

Research in Earth science and geoscience education is fundamental to training the next generation of Earth science professionals. The United States faces a looming shortage of qualified workers in these areas that are critical for national security. We are very concerned that cuts in earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages.

A 2013 report by the National Research Council, *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, “Energy and mineral resources are essential for the nation’s fundamental functions, its economy, and its security... In mining (nonfuel and coal) a personnel crisis for professionals and workers is pending and it already exists for faculty.”

Another recent study, *Status of the Geoscience Workforce 2011*, by the American Geosciences Institute found: “The supply of newly trained geoscientists falls short of geoscience workforce demand and replacement needs. ...aggregate job projections are expected to increase by 35 percent between 2008 and 2018....The majority of geoscientists in the workforce are within 15 years of retirement age. By 2030, the unmet demand for geoscientists in the petroleum industry will be approximately 13,000 workers for the conservative demand industry estimate.”

Increased NSF and NASA investments in earth science education at all levels to meet these needs and develop an informed electorate. Knowledge of the earth sciences is essential to science literacy and to meeting the environmental and resource challenges of the twenty-first century. NSF’s Education and Human Resources Directorate researches and improves the way we teach science and provide research and fellowship opportunities for students to encourage them to continue in the sciences. Similarly, NASA’s educational programs have inspired and led many into science careers.

Please contact GSA Director for Geoscience Policy Kasey White at kwhite@geosociety.org for additional information or to learn more about the Geological Society of America – including GSA Position Statements on water resources, planetary research, energy and mineral resources, natural hazards, climate change, and public investment in earth science research.



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William P. "Will" Wise
Sheriff



March 27, 2014

The Honorable Frank Wolf, Chairman
 Subcommittee on Commerce-Justice-Science
 Committee on Appropriations
 H-309 The Capitol

Dear Chairman Wolf:

As you consider the Fiscal Year 2015 Commerce, Justice, Science Appropriations bill, we urge you to appropriate adequate resources to the State Criminal Alien Assistance Program (SCAAP) at a level appropriate to effectively execute the program's purpose.

As you know, SCAAP is a grant program that reimburses states and local governments for the cost of incarcerating undocumented immigrants convicted of crimes. By law, the federal government is ultimately responsible for immigration enforcement, including the incarceration of undocumented criminal offenders. When this is not possible, the law requires the federal government to compensate state and local governments for their incarceration costs.

Although appropriations levels for SCAAP have decreased dramatically in recent years, the costs incurred by states to fulfill what is essentially a federal function have increased. We cannot afford to reduce resources for this vital program, which already falls far short of what states and local governments actually spend to incarcerate undocumented criminal offenders. Reducing federal SCAAP reimbursements forces state and local law enforcement agencies to absorb a greater portion of the costs of a federal responsibility.

We recognize the challenges of the current fiscal environment and thank you for your effort and dutiful consideration of FY 2015 appropriations priorities. We respectfully ask that the benefits of SCAAP to our local jurisdictions be carefully considered and that the program be appropriated at a level consistent with its federally mandated responsibility.

Sincerely,

William P. Wise
 Sheriff William P Wise
 Desoto County, Florida

WW/js

Visit Us Online at www.desotosheriff.com

Douglas A. Wolfe, Ph.D. NOAA (retired) Beaufort, North Carolina

Testimony to the House Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies — 25 March 2014

My statement is in direct opposition to the closure of the NOAA marine science laboratory located in Beaufort, North Carolina, as presently proposed in the President's FY2015 Budget for NOS, Coastal Science, Assessment, Response and Restoration: National Centers for Coastal Ocean Science (NCCOS) (NOAA Blue Book, page 8).

This facility, identified in the budget request as the Beaufort, NC laboratory, has a long tradition of: (1) excellence in marine science and research, (2) fisheries management, (3) marine environmental restoration, and (4) collaboration with regional university programs in marine science research and education. Originally founded in 1899 by the U.S. Fisheries Commission, the Beaufort Laboratory is the second-oldest (after Woods Hole) Federal marine science facility in the United States. Its closure is not at all justified in the budget documents cited above and I respectfully request this Subcommittee to:

1. **direct NOAA's National Ocean Service not to close the Laboratory, and**
2. **recommend full funding for staffing and operations at the Beaufort Laboratory in FY2015 and subsequent years.**

The balance of my statement will provide greater detail and justification for this position.

In the NOAA Bluebook: FY2015 Budget Summary, the National Ocean Service proposes (on page 8) "to reduce its physical footprint and fixed costs by closing the Beaufort N.C. laboratory..." A NOAA spokeswoman in Silver Spring, Ciaran Clayton (Director of Communications and External Affairs), was further quoted in our local newspaper: "this aging facility requires infrastructure repairs and improvements exceeding agency budget resources.." This appears to form the entire basis for the NOAA/NOS/NCCOS request for lab closure. **But in fact**, NOAA has routinely been maintaining and improving this facility. The two-story laboratory, originally constructed in 1963, was renovated in 1994 to remove the outdated seawater systems from the building and to correct the structural damage caused by that flaw in the original design. A new (2014) engineering report found no residual structural problems in this building. More recently, a new administration building was constructed in 2007 at a cost of \$7 million to house administrative and support staff offices, new library and conference room facilities, and the Offices of the North Carolina Estuarine Research Reserves (NERRS). In 2008 the maintenance building was replaced at a cost of \$960,000. In 2009 a chemical storage and hazmat building was constructed at a cost of \$ 1 million. Bridge renovation/replacement (2007) and seawall repairs (2014) were performed at a cost of \$3.5 million. Several smaller aging structures were demolished and removed from the premises. The total cost of facility upgrades within the past seven years exceeds \$14 million, including a \$1 Million cost-sharing contribution from NERRS, \$500,000 of North Carolina State funds for stormwater runoff management, and a shared cost with Duke University for the bridge work. The present facility is modern in appearance and houses state-of-the art scientific instrumentation and equipment in support of the research programs conducted by the staff.

While the request for closure of the Beaufort Laboratory is presented in the NOAA/NOS/NCCOS budget statement, the Beaufort Laboratory in fact is occupied by programs and staff of three different NOAA components: NCCOS employs a permanent staff of 31; the National Marine Fisheries Service (NMFS) has a permanent staff of 40 at the facility, and NERRS – a program funded cooperatively by NOAA and the State of North Carolina– supports a permanent staff of 8 (all State employees of North Carolina). The Center employs 33 additional personnel– most of them science-related– on a temporary or contract basis. The ramifications of laboratory closure are not reflected in the budgets shown for either NMFS or NERRS. Nor have the impacts to the employees and their families and to the local community been carefully evaluated.

The Beaufort Laboratory has established an extraordinary record for scientific excellence in its research. NOAA and the Department of Commerce have repeatedly recognized individual researchers, research teams, and the Laboratory as a whole for the outstanding quality of the work performed there (with Commerce Gold Medals, Career Achievement Awards, Technology Transfer Award, etc.). Staff members at the Laboratory have also received major recognition and awards from professional scientific societies, including the Phycological Society of America and the Geochemical Society.

The laboratory's excellent research capabilities and reputation also attract support both from other branches of NOAA and from other outside agencies which have recognized potential benefits of the Laboratory's studies, and have augmented the base-level program support provided by NOAA. For example, the Office of Aquaculture provided nearly \$1 million in FY2014 to conduct a feasibility study for sustainable aquaculture on the US Atlantic coast, Gulf of Mexico, Caribbean (US possessions), the Pacific west coast, and the Hawaiian archipelago. Other recent research initiatives of the NCCOS staff at the Beaufort Laboratory include a) ecology of and responses to harmful algal blooms; b) restoration of injured habitats including seagrass, saltmarsh, and reef systems; c) ecosystem responses to climate change; and d) population dynamics and spread of invasive species, such as lionfish. The current focus of the NMFS staff at the Beaufort Laboratory is on: a) studies of population dynamics and stock assessments in support of fisheries management, especially of Atlantic menhaden and the offshore snapper/grouper and other reef fisheries; b) population dynamics and health of protected and endangered species, including sea turtles and marine mammals; c) densities of coral and the reproduction and life histories of reef fish; and d) ecological studies on the ecosystem structure and function of the Southeastern U.S. continental shelf system that supports these fisheries and protected species. The responsibility of NERRS staff at the Beaufort Laboratory is direction and management of the four major Estuarine Research Reserves in North Carolina, one of which– the Rachel Carson Reserve– is located directly across the navigation channel from the Beaufort Laboratory, which provides a most convenient and economical logistics base for field research, training and educational programs at their reserve.

It is ironic (to the point of giving an impression of fiscal irresponsibility) that the NOS/NCCOS budget initiative for FY2015 requests increased research funding for coastal ocean issues, including harmful algal blooms, hypoxia, and coastal ecosystem management at the same time it is proposing to close the Beaufort Laboratory, which has well-established expertise and the facilities required to address many of those very same issues.

The Beaufort Laboratory is strategically located for temperate and subtropical marine and estuarine habitat studies on the east coast of North America. It was no accident that Beaufort, North Carolina was selected by the U.S. Bureau of Fisheries as the location for this laboratory, and not surprising that several Universities and State agencies have also located marine research facilities in the same area. North Carolina has one of the longest coastlines and greatest estuarine areas of any state on the east coast; and the Gulf Stream approaches the coast more closely at Cape Hatteras and Cape Lookout than at any other point north of Cape Kennedy, Florida— accounting for the occurrence of tropical corals and reef habitats just at and beyond the edge of the broad continental shelf. Laboratory scientists at the Beaufort Laboratory have developed academic affiliations with several nearby universities, especially with North Carolina State University, University of North Carolina-Wilmington, and East Carolina University, and have helped to sponsor graduate student research on many topics related to NOAA's initiatives. Close ties and research collaboration also exist between laboratory scientists and the faculty at the adjacent Duke University Marine Laboratory, and the University of NC Institute of Marine Sciences in nearby Morehead City. The NERRS facility at the Beaufort Laboratory provides educational experience and opportunities to thousands of elementary and secondary school students every year.

The Beaufort Laboratory also provides administrative support and scientific direction for a field laboratory at Kasitsna Bay, Alaska, where researchers are quantifying ecosystem change and studying variability in ocean acidification in nearshore subarctic Alaskan habitats. In partnership with the University of Alaska, Native Corporations and marine conservation groups, the Kasitsna Bay facility provides training in diving for scientific objectives, marine ecology and oceanography; conducts field science camps for high school students; and offers field housing for visiting researchers and students including NOAA undergraduate and graduate student interns. The implications of Beaufort Lab closure on the operation of the Kasitsna facility appear not to have been considered.

In conclusion I will repeat my earlier recommendation and request the Honorable Members of the **House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies** to formulate appropriate strategies to:

- 1) **direct NOAA/NOS not to close the Beaufort Laboratory as currently proposed, and remove all references to such closure in the final appropriation; and**
- 2) **direct NOAA to restore full funding for operations, staffing and research at the Beaufort Laboratory in FY2015 and subsequent years.**

Thank you for your consideration.
Douglas A. Wolfe

Dr. Wolfe retired from NOAA in 1994 after 30 years of service. He was employed by NMFS at the Beaufort Laboratory from 1964-1975 where he performed research on ecological cycling and effects of heavy metals and radionuclides; from 1975-1982 he was employed by NOAA's Office of Oceanic & Atmospheric Research (OAR) in Boulder, Colorado as a senior scientist in the Outer Continental Shelf Environmental Assessment

Program and the Office of Marine Pollution Assessment; and from 1982-1994 he worked for NOS in the Office of Resource Coordination & Assessment in Rockville and Silver Spring, Maryland, where he directed research on the biological effects of pollution and provided scientific guidance to NOAA's Response to the Exxon Valdez oil spill in Prince William Sound. He is the author of numerous scientific and technical publications and books, including *A History of the Federal Biological Laboratory at Beaufort, North Carolina: 1899-1999* (NOAA, October 2000, 312 pp.).

31 March 2014

David M. Wyanski
Biologist IV
South Carolina Dept. of Natural Resources
217 Ft Johnson Rd
Charleston, SC 29412

Dear Members of the Subcommittee on Commerce, Justice, Science, and Related Agencies,

I am astonished that a proposal has been made to close the NOAA NOS/NMFS lab in Beaufort, North Carolina, apparently for financial reasons only. I want to express my strong opposition to the President's FY 2015 budget proposal and urge the sub-committee to help reinstate funding for this essential national resource that has been present at this location in some form since 1899.

My connection to the lab is that I'm a state employee in South Carolina who works on a NMFS-funded fish monitoring and research program called MARMAP that is based in Charleston, SC. Our program has collaborated with NMFS staff in Beaufort since the 1990s by providing data and analyses to support the population biologists at this lab who have the responsibility of assessing the status (size) of fish populations in the southeast region. This is but one of the ways the staff of this lab provides important research and information for sustaining fisheries and coastal ecosystems of the Mid-Atlantic, Southeast U.S., and U.S territories in the Caribbean Sea. Moreover, research being conducted at this facility directly serves 8 of the 10 objectives of the U.S. National Ocean Policy. Given the impending deadline for testimony, I don't have time to elaborate on the other ways the Beaufort facility very effectively supports national policy, although I'm sure those details have appeared in other letters. In closing, I again urge you to restore funding for this important federal laboratory. The vital and voluminous work done by this centrally-located lab along the Atlantic coast has been ignored by the team that created the President's budget proposal.

Sincerely,

David M. Wyanski

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Testimony of
Frank G. Zalom, PhD, President
Entomological Society of America
On
Fiscal Year 2015 Appropriations for the National Science Foundation
Submitted to the
Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies
United States House of Representatives

March 31, 2014

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for the National Science Foundation (NSF). **ESA requests a robust fiscal year (FY) 2015 appropriation of \$7.5 billion for NSF, including strong support for the Directorate for Biological Sciences (BIO).**

Advances in basic biological sciences, including entomology, provide the fundamental knowledge that is the basis for overall scientific progress and the development of new technologies and strategies that address societal challenges related to economic growth, security, and human health and well-being. Entomologists' basic research on insect anatomy, classification, and genetics improves our understanding of evolution and biodiversity. Better knowledge of insect behavior and the dynamics of insect populations is an important component to the study of ecosystems and the environment. Additionally, insects play a critical role in our ability to explore the underpinnings of biological processes at the cellular and molecular level. Insects including *Drosophila* flies have long served as model systems for animals that scientists use to study biochemistry, microbiology, molecular biology, and toxicology, among other subjects. In many cases, insects are ideal for use in laboratory experimentation because they are inexpensive, easy to handle, have relatively short life spans, and do not require special facilities required to maintain vertebrate animals.

NSF is the only federal agency that supports basic research across all scientific and engineering disciplines, except for the medical sciences. In FY 2013, the foundation supported an estimated 299,000 researchers, scientific trainees, teachers, and students, primarily through competitive grants to nearly 2,000 colleges, universities, and other institutions in all 50 states. NSF also plays a critical role in training the next generation of scientists and engineers, ensuring our nation will remain globally competitive in the future. For example, the NSF Graduate Research Fellowship Program selects and supports science and engineering graduate students demonstrating exceptional potential to succeed in science, technology, engineering, and mathematics (STEM) careers.

Through activities of its BIO Directorate, NSF advances the forefront of knowledge about complex biological systems at multiple scales, from molecules and cells to organisms and ecosystems. In addition, the directorate contributes to the support of research resources,

including important biological collections and biological field stations. NSF BIO is also the nation's primary funder of fundamental research on biodiversity and environmental biology.

For example, NSF-funded researchers have recently examined the wide-ranging effects of an ongoing bark beetle invasion which threatens the destruction of millions of acres of forests in the Western United States.¹ The death of pine trees caused by bark beetles has severe implications for the forest's canopy and water systems, and creates conditions that favor devastating forest fires. The study has provided new insights into how invasive insect species that damage or destroy plants can affect entire ecosystems at the watershed scale.

Another NSF-funded researcher² is studying a phenomenon that allows a locust to change its color depending on how densely populated an area is with other locusts; this trait is believed to cause locust swarms, which can be very destructive to agriculture. Migratory locust swarms, one of the biblical plagues, continue to contribute to famine in Africa. The current research is examining how the locusts change their appearance, and whether these genetic traits can be manipulated to maintain an appearance that is not conducive to forming swarms. The results of this study could provide a new way to control locusts without relying on chemical pesticides, which can have negative effects on the surrounding ecosystem.

One example of how NSF's support for basic research using insects contributes to our understanding of human and animal biology is a recent NSF-funded study on the behaviors of *Drosophila* vinegar flies,³ which has advanced scientists' knowledge about neurobiology of insects, animals, and humans. The results of the research may also help inform the field of robotics; scientists believe that modeling the functions of the insect brain can help develop algorithms able to control robotic systems. Other NSF-funded research on *Drosophila* genetics⁴ is helping scientists understand gene mutations in humans, as humans and these tiny flies share conserved genetic similarities.

Given NSF's critical role in supporting fundamental research and education across science and engineering disciplines, ESA supports an overall FY 2015 NSF budget of \$7.5 billion. Within this budget, ESA requests robust support for the NSF BIO Directorate, which funds important research studies and biological collections, enabling discoveries in the entomological sciences to contribute to our understanding of environmental and evolutionary biology, physiological and developmental systems, and molecular and cellular mechanisms.

¹ Mikkelsen, KM, et al. *Bark beetle infestation impacts on nutrient cycling, water quality and interdependent hydrological effects*. Biogeochemistry (2013).

² CAREER: *Evolution of locust swarms and phenotypic plasticity in grasshoppers*. NSF Award Abstract #1253493.

³ van Breugel, F, et al. *Plume-tracking behavior of flying *Drosophila* emerges from a set of distinct sensory-motor reflexes*. Current Biology (2014).

⁴ CAREER: *Investigating the evolution of gene regulation at *Drosophila* Hox genes*. NSF Award Abstract #0845103.

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